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# Transcript of Gavin Grimm

**Date:** October 19, 2018  
**Case:** Grimm- v- Gloucester County School Board

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Transcript of Gavin Grimm  
Conducted on October 19, 2018

1 (1 to 4)

	1	3
1	IN THE UNITED STATES DISTRICT COURT	1 APPEARANCES
2	FOR THE EASTERN DISTRICT OF VIRGINIA	2
3	NEWPORT NEWS DIVISION	3 ON BEHALF OF THE PLAINTIFF:
4		4 JOSHUA A. BLOCK, ESQUIRE
5	----- x	5 SHAYNA MEDLEY-WARSOFF, ESQUIRE
6	GAVIN GRIMM, :	6 AMERICAN CIVIL LIBERTIES UNION
7	Plaintiff, :	7 125 Broad Street, 18th Floor
8	v. : Case No.	8 New York, New York 10004
9	GLOUCESTER COUNTY SCHOOL : 4:15-cv-54	9 212.549.2627
10	BOARD, :	10 and
11	Defendant. :	11 EDEN HEILMAN, ESQUIRE
12	----- x	12 NICOLE TORTORIELLO, ESQUIRE
13		13 JENNIFER SAFSTROM
14	Deposition of GAVIN GRIMM	14 ACLU OF VIRGINIA
15	Richmond, Virginia	15 701 East Franklin Street, Suite 1412
16	Friday, October 19, 2018	16 Richmond, Virginia 23219
17	9:40 a.m.	17 804.523.2157
18		18
19		19
20	Job No.: 207940	20
21	Pages: 1 - 177	21
22	Reported By: Leslie D. Etheredge, RMR, CCR	22
	2	4
1	Deposition of GAVIN GRIMM, held at the	1 ON BEHALF OF THE DEFENDANT:
2	offices of:	2 DAVID P. CORRIGAN, ESQUIRE
3		3 HARMAN, CLAYTOR, CORRIGAN & WELLMAN
4	ACLU OF VIRGINIA	4 4951 Lake Brook Drive, Suite 100
5	701 East Franklin Street, Suite 1412	5 Glen Allen, Virginia 23060
6	Richmond, Virginia 23219	6 804.747.5200
7	804.523.2157	7
8		8
9		9 ALSO PRESENT:
10		10 Tracey R. Dunlap, VML Insurance Programs
11		11
12	Pursuant to Notice, before Leslie D.	12
13	Etheredge, Registered Merit Reporter, Certified	13
14	Court Reporter and Notary Public in and for the	14
15	Commonwealth of Virginia.	15
16		16
17		17
18		18
19		19
20		20
21		21
22		22

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2 (5 to 8)

C O N T E N T S		5	7
2 EXAMINATION OF GAVIN GRIMM	PAGE		
3 BY MR. CORRIGAN	6		
4 BY MR. BLOCK	168		
5 BY MR. CORRIGAN	172		
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7			
8			
9			
10 E X H I B I T S			
11 (Attached to transcript)			
12 GAVIN GRIMM DEPOSITION EXHIBITS	PAGE		
13 Exhibit 1 October 28, 2014 email	92		
14 from Amy Bergh			
15			
16			
17			
18			
19			
20			
21			
22			
1 P R O C E E D I N G S	6	8	
2 Whereupon,			
3 GAVIN GRIMM,			
4 being first duly sworn to testify to the truth,			
5 the whole truth, and nothing but the truth, was			
6 examined and testified as follows:			
7 EXAMINATION BY COUNSEL FOR THE DEFENDANT			
8 BY MR. CORRIGAN:			
9 Q Would you state your full name, please.			
10 A Gavin Grimm.			
11 Q No middle name?			
12 A Sorry. Gavin Elliot Grimm.			
13 Q E-L-L-I-O-T-T?			
14 A O-T.			
15 Q One T. Okay. Gavin, we have met before.			
16 I am going to be asking you questions related to			
17 this lawsuit, and, typically, in a situation like			
18 this, I like to lay out two rules, which I think			
19 you have already gone over with your counsel.			
20 The first one is, if your answer is yes or			
21 no, please say yes or no and not uh-huh, huh-uh,			
22 or shake and nod your head. Fair enough?			
1 A Yes, sir.			
2 Q Second one, you just did it, let me finish			
3 before you start, I will let you finish before I			
4 start, so we are not speaking at the same time, so			
5 the court reporter can get everything down. Okay?			
6 A Yes, sir.			
7 Q Thank you. What is your current address?			
8 A 20047 Stanton Avenue, Castro Valley,			
9 California.			
10 Q It doesn't matter. The zip doesn't			
11 matter.			
12 A Okay.			
13 Q And who do you live with there?			
14 A Three housemates.			
15 Q How long have you lived there?			
16 A Approximately 2 months.			
17 Q Where were you living before that?			
18 A Berkeley, California.			
19 Q Do you remember the address?			
20 A 1709 Shattuck Avenue.			
21 Q S-H --			
22 A A-T-T-U-C-K.			
1 Q Okay.	6	8	
2 A And that is Berkley, California.			
3 Q Who did you live with there?			
4 A I lived at varying times with different			
5 roommates and on my own.			
6 Q Is that a house, a freestanding house?			
7 A It is an apartment complex.			
8 Q Okay. How many bedroom apartment was			
9 yours?			
10 A One. Yes, one.			
11 Q Before the Shattuck Avenue address in			
12 Berkley, where did you live?			
13 A Gloucester, Virginia.			
14 (Interruption at the door and discussion			
15 held off the record.)			
16 Q What was the address in Gloucester?			
17 A 3624 Foxhaven Drive, Gloucester, Virginia.			
18 Q Who did you live with there?			
19 A My brother, father and brother.			
20 Q Their names?			
21 A David, my father; Deirdre, my mother; and			
22 David, my brother.			

	9		11
1	Q And how long did y'all live at that	1	<b>A No.</b>
2	particular address?	2	Q Where have you been?
3	<b>A From birth until moving to California.</b>	3	<b>A Most recently, it was somewhere on the</b>
4	Q What is your date of birth?	4	<b>East Coast, Philadelphia. Virginia at one point.</b>
5	<b>A 5/4/1999.</b>	5	<b>Beyond that, I can't recall any more individual</b>
6	Q Are you currently employed?	6	<b>states.</b>
7	<b>A I am not on an official payroll, I do some</b>	7	Q Where in Virginia?
8	<b>freelance activism.</b>	8	<b>A I believe it was -- Actually, I don't</b>
9	Q So what does that mean? What is freelance	9	<b>recall well enough to say with certainty.</b>
10	activism?	10	Q Okay. Do you remember where you flew into
11	<b>A I may be invited to speak at a college or</b>	11	11 or where you -- how you traveled?
12	<b>at a conference, and sometimes there is monetary</b>	12	<b>A I traveled by plane. It was not -- I</b>
13	<b>compensation.</b>	13	<b>recall it was not close enough that it would have</b>
14	Q What determines whether there is monetary	14	<b>been possible to visit home so it was probably --</b>
15	compensation?	15	<b>well, in fact, pardon me. I won't speculate.</b>
16	<b>A The ability of the requester.</b>	16	Q Okay.
17	Q So give me an example of what you are	17	<b>A I just recall that I have been to Virginia</b>
18	talking about.	18	<b>for business since moving to California.</b>
19	<b>A For example, should a middle school invite</b>	19	Q Where did you fly into when you did
20	<b>me to talk to their GSA, I would never ask for</b>	20	20 business in Virginia?
21	<b>financial compensation, but should I go to a more</b>	21	<b>A I can't recall.</b>
22	<b>professional event, which would probably have a</b>	22	Q You don't remember whether it was Reagan
	10		12
1	<b>larger budget, they may -- pardon me -- they may</b>	1	or Dulles or Richmond?
2	<b>offer me some kind of compensation.</b>	2	<b>A I really don't recall, sir.</b>
3	Q What is the range of compensation, when	3	Q Okay. Are you currently in school?
4	you are compensated, for your freelance activism?	4	<b>A Yes, sir.</b>
5	<b>A It is hugely variable, anywhere from 50</b>	5	Q Where are you attending?
6	<b>dollars to more than that.</b>	6	<b>A Berkley City College.</b>
7	Q 50 up to what?	7	Q Until you said that yesterday, I had never
8	<b>A I -- sorry. I am trying to accurately</b>	8	heard of Berkley City College. Is that part of
9	<b>recall it.</b>	9	the state community college system or is it a
10	Q Sure. If it is a ball park, I --	10	10 local private school?
11	<b>A A ball park of like a thousand dollars.</b>	11	<b>A It is a community college.</b>
12	Q Okay.	12	Q Okay. How long have you been going there?
13	<b>A It is not frequently more than that or</b>	13	<b>A Since -- since the start of this current</b>
14	<b>even that.</b>	14	<b>semester, I don't recall what month it began.</b>
15	Q Okay. How often are you engaged in	15	Q So September or August, fall semester kind
16	freelance activism?	16	16 of thing?
17	<b>A I would say average a fee times a month, a</b>	17	<b>A Yes, sir.</b>
18	<b>few times a month. Sometimes more often,</b>	18	Q Okay. Before attending Berkley City
19	<b>sometimes less.</b>	19	College, did you attend any other college?
20	Q Since you have been in California, has	20	<b>A No.</b>
21	your freelance activism been restricted to	21	Q From the time -- when did you leave
22	California?	22	22 Gloucester approximately?

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4 (13 to 16)

	13		15
1	<b>A January of this year.</b>	1	Q Tell me which schools you attended
2	Q 2018?	2	starting as soon as you went to school.
3	<b>A Yes, sir.</b>	3	<b>A I do not recall the pre-K institutions I</b>
4	Q You graduated Gloucester High School June	4	<b>went to; however, I started public school in</b>
5	of 2017.	5	<b>Bethel Elementary, I then went to Peasley Middle</b>
6	<b>A Yes, sir.</b>	6	<b>School, and then Gloucester High School.</b>
7	Q Is that correct? What did you do from	7	Q Peasley is P-E --
8	June of 2017 until January of 2018, when you moved	8	<b>A A-S-L-E-Y.</b>
9	to California? When I say what did you do, were	9	Q So elementary was K to?
10	you working, were you going to school?	10	<b>A 5.</b>
11	Let me ask you this. Were you living at	11	Q 5, and middle was 6 to 8?
12	home?	12	<b>A Yes, sir.</b>
13	<b>A Yes.</b>	13	Q Gloucester High School was 9 to 12?
14	Q So what were you doing in terms of work or	14	<b>A Yes.</b>
15	anything like that?	15	Q Was your brother in your class, not in the
16	<b>A I was not working, I was also not in</b>	16	16 actual classes, but in the same grade as you
17	<b>school.</b>	17	17 throughout?
18	Q So what were you spending your time doing?	18	<b>A Yes.</b>
19	<b>A I suppose -- well, rather, I won't</b>	19	Q Did he also graduate?
20	<b>suppose. I -- I spent time with friends or stayed</b>	20	<b>A Yes.</b>
21	<b>around the house.</b>	21	Q All right. Let's go to the elementary
22	Q Your brother is a twin; is that right?	22	22 school. At any time when you were in the
	14		16
1	<b>A Yes, sir.</b>	1	elementary school, at Bethel Elementary, did you
2	Q And the full family is your mom, your dad,	2	have -- I want to use the right terms and not in
3	your brother and you?	3	any way sound like I am trying to be difficult;
4	<b>A In the household?</b>	4	but during that time, from kindergarten through
5	Q Yes.	5	5th grade, did you at any time have the beginnings
6	<b>A Yes, sir.</b>	6	6 of what you now perceive to be gender identity
7	Q Are there other family members?	7	7 issues?
8	<b>A There are extended family members, which</b>	8	<b>A Absolutely.</b>
9	<b>are not directly involved with my current family</b>	9	Q Just tell me about that. When did that
10	<b>life.</b>	10	first start? When do you first have any
11	Q Okay. Are there any of the others blood	11	recollection of thinking or believing or feeling
12	siblings or parents?	12	like you were male and not female?
13	<b>A I have three blood half-siblings.</b>	13	<b>A I believe myself to be a boy in my</b>
14	Q Okay. The half-siblings are the children	14	<b>internal dialogue until the point that I recognize</b>
15	of your mom or your dad?	15	<b>15 that there were -- that society perceives larger</b>
16	<b>A Two of them are children of my father and</b>	16	<b>16 differences between men and women, I suppose more</b>
17	<b>17 one of them is a child of my mother.</b>	17	<b>17 accurately when I entered school age and</b>
18	Q Are they in the Gloucester area, the	18	<b>18 recognized that men and women have different</b>
19	children, your half-siblings?	19	<b>19 expected societal roles.</b>
20	<b>A I do not know the whereabouts of either on</b>	20	<b>A At that point I had an understanding that</b>
21	<b>21 my father's side; however, the half sibling on my</b>	21	<b>21 the one assigned to myself, of course, the female</b>
22	<b>22 mother's side lives not in the Gloucester area.</b>	22	<b>22 social and physical role, was inaccurate; however,</b>

	17	
<p>1 <b>I did not have the language at that time to</b></p> <p>2 <b>vocalize those feelings.</b></p> <p>3 Q If I can try to express what you just</p> <p>4 said, is it true that before you went to school,</p> <p>5 you were not aware one way or the other, it was</p> <p>6 like when you went to school is when it kind of</p> <p>7 became I see, girls are one way, boys are</p> <p>8 different, boys are treated differently?</p> <p>9 <b>A Not – not exactly. If I can – I</b></p> <p>10 <b>understood myself to be a boy in the sense that my</b></p> <p>11 <b>internal self-perception was that way in the sense</b></p> <p>12 <b>that the male cartoon characters, you know, that I</b></p> <p>13 <b>idolized, I felt that I was, you know, like them</b></p> <p>14 <b>in the sense of gender; however, when I hit an age</b></p> <p>15 <b>where social gender expectations came into play, I</b></p> <p>16 <b>recognized that other people perceived me as a</b></p> <p>17 <b>girl.</b></p> <p>18 Q When was it that you first realized that</p> <p>19 others perceive you as a girl?</p> <p>20 <b>A That would have been when I entered</b></p> <p>21 <b>school.</b></p> <p>22 Q As we sit here today and you look back on</p>		<p>1 father told me I could no longer go over to his</p> <p>2 house, whereas my brother could, the reason being</p> <p>3 I was, in his opinion, at the time a girl.</p> <p>4 <b>So examples like that. When I wanted to</b></p> <p>5 <b>do sports –</b></p> <p>6 Q Let me interrupt you for a second.</p> <p>7 <b>A Yes, sir.</b></p> <p>8 Q That specific occasion, when your father</p> <p>9 said you can't go to the friend's house but your</p> <p>10 brother can, how old were you?</p> <p>11 <b>A I was between 6 and 8. Well, I was</b></p> <p>12 <b>probably 8. I don't imagine they would have</b></p> <p>13 <b>allowed me to walk that far when I was 6, so</b></p> <p>14 <b>around 8.</b></p> <p>15 Q What was your understanding of the reason</p> <p>16 that you couldn't go and your brother could?</p> <p>17 <b>A I don't think I had a good understanding</b></p> <p>18 <b>of why that was a reasonable declaration.</b></p> <p>19 Q Yes.</p> <p>20 <b>A However, I do –</b></p> <p>21 Q With regards to whether it was reasonable,</p> <p>22 what was the reason?</p>
	18	
<p>1 it, do you say -- I mean a moment, was there a</p> <p>2 moment when a teacher said something or somebody</p> <p>3 said something and you went she thinks I am a</p> <p>4 girl?</p> <p>5 <b>A There were points in my childhood where I</b></p> <p>6 <b>would request to do something and get --</b></p> <p>7 <b>Gloucester is a socially conservative place, so</b></p> <p>8 <b>there were points in time, when I was younger,</b></p> <p>9 <b>where I would request to do something or show an</b></p> <p>10 <b>interest in doing something, which was</b></p> <p>11 <b>traditionally reserved for boys, and would be</b></p> <p>12 <b>refused, rejected, and at that point that was the</b></p> <p>13 <b>point in which I realized there were differences</b></p> <p>14 <b>and that I was assumed to be on sort of the wrong</b></p> <p>15 <b>side of the line there.</b></p> <p>16 Q Let me ask you this. What specific</p> <p>17 refusals or rejections are you referring to? I</p> <p>18 mean what are we talking about?</p> <p>19 <b>A On one occasion, I wanted to walk down to</b></p> <p>20 <b>my friend's house, who was a 5-minute walk away on</b></p> <p>21 <b>the same street, he and I -- he -- he, myself and</b></p> <p>22 <b>my brother were all friends, and at one point my</b></p>		<p>20</p> <p>1 <b>A Well, pardon. What I was saying, I</b></p> <p>2 <b>suppose, is I was not given a reason, it was -- it</b></p> <p>3 <b>was just that I was not allowed to and my brother</b></p> <p>4 <b>was.</b></p> <p>5 Q And this was your father?</p> <p>6 <b>A Yes.</b></p> <p>7 Q So that's one example of a refusal or</p> <p>8 denial. What were the others?</p> <p>9 <b>A The most pertinent additional memory that</b></p> <p>10 <b>I have is when I wanted to play baseball and my</b></p> <p>11 <b>only options were softball on a female team, and</b></p> <p>12 <b>that caused me so much distress that, despite</b></p> <p>13 <b>already having bought a mitt and a ball, I did not</b></p> <p>14 <b>actually enter the sport.</b></p> <p>15 Q How old were you at that point? Again,</p> <p>16 approximately.</p> <p>17 <b>A Approximately 10.</b></p> <p>18 Q It was little league?</p> <p>19 <b>A Oh, I don't recall.</b></p> <p>20 Q Did your brother play baseball?</p> <p>21 <b>A I don't recall. I don't recall.</b></p> <p>22 Q Did your brother play athletics as a child</p>

21 1 or after childhood into high school and things? 2 <b>A My brother -- Growing up, we both did tee 3 ball and he went on to play football later.</b> 4 Q How far did he go in playing football? 5 <b>A There is a league, the Gloucester Knights, 6 I believe, and he went up until the point of 7 beginning high school, I believe, that was when he 8 stopped playing football.</b> 9 Q Okay. Did you ever express an interest in 10 playing football? 11 <b>A Absolutely.</b> 12 Q And what happened? 13 <b>A I was told I could not.</b> 14 Q And who told you that? 15 <b>A Both of my parents at the time.</b> 16 Q Did they tell you why? 17 <b>A They said it was because I was a girl.</b> 18 Q Any other examples of refusals or denials, 19 because of your perceived being female, that you 20 can think of besides we have talked about walking 21 to your friend's house, we have talked about 22 baseball versus softball and deciding not to play,	23 1 <b>peers and family members.</b> 2 Q Did that family members include your mom 3 and dad? 4 <b>A My father, however, the other family 5 members are extended -- estranged family.</b> 6 QOkay. So your father did tell you you 7 shouldn't wear your hair short like that? 8 <b>A Yes.</b> 9 Q Did your mother say that? 10 <b>A My mother was not excited about the 11 haircut, but she supported it.</b> 12 Q How about your brother? 13 <b>A He didn't -- we didn't -- he didn't have 14 an expression one way or the other that I recall.</b> 15 Q What about the clothing, wearing what you 16 described as boys' clothes. Who expressed to you 17 that you shouldn't be wearing boys' clothes? Did 18 your father? 19 <b>A My father and then my mother was perhaps 20 the primary person, as she was the one that would 21 most often take me clothes shopping.</b> 22 Q So you would be shopping with her and you
22 1 we have talked about not playing football. 2 <b>A Can you clarify what time frame we are 3 looking at with this?</b> 4 Q Any time. 5 <b>A Any time. There are. There are quite a 6 few instances where, once I cut my hair short, I 7 was 12, I was told that it was not a style 8 appropriate for me. All throughout my childhood, 9 I would request boys' clothing and was told that 10 that was also not appropriate for me. Eventually, 11 I began to wear boys' clothing and was, of course, 12 told it was not appropriate for me, so I would say 13 that consistently throughout my life, I have 14 expressed masculinity and have been told that it 15 was inappropriate for the gender that I was 16 perceived as at the time.</b> 17 Q All right. Let's talk about those. You 18 mentioned specifically your haircut. Who told you 19 it was not appropriate for you? 20 <b>A People in -- people that I interacted 21 with. I could not recall individual names, I just 22 do recall that there were many comments, mostly</b>	24 1 would be saying I want these, and she'd say no, 2 you can't have those, you have to get these other 3 ones? 4 <b>A Yes.</b> 5 Q Okay. So did you end up buying what you 6 perceived to be girls' clothes instead of boys' 7 clothes? 8 <b>A When I was younger and had a lesser degree 9 of control over what I was wearing, I conceded 10 more often than not; however, as soon as I was old 11 enough to know how to argue with my parents, I 12 was, you know, fighting for the boys' aisle. 13 Q Once you started fighting for the boys' 14 aisle, did they eventually give in and let you 15 wear boys' clothes? 16 <b>A They did.</b> 17 Q When was that approximately? 18 <b>A I have been wearing pretty much 19 exclusive -- well, I have been wearing exclusively 20 clothes from the boys' section since I was 11 or 21 12.</b> 22 Q So that's approximately when you learned</b>

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7 (25 to 28)

	25		27
1	how to argue with your parents?	1	Q Okay. K through 5, those things occurred?
2	<b>A Well, no. I argued far before that.</b>	2	<b>A Absolutely.</b>
3	Q But you got better at it?	3	Q 6 through 8, that occurred?
4	<b>A Yes, I would say so.</b>	4	<b>A Absolutely.</b>
5	Q Okay. Let's talk about your friends	5	Q 9 through 12, those things occurred?
6	during the same time frame, and let's go to just	6	<b>A Absolutely.</b>
7	around age 11 or 12, when you are now -- I mean	7	Q What would be the frequency you would say
8	tell me if I am wrong, you are not presenting	8	with which those things occurred?
9	yourself more as a boy than a girl. Is that true	9	<b>A In high school, I would say -- pardon. I</b>
10	10 or not?	10	<b>10 would say -- I mean I would say it was pretty</b>
11	<b>11 consistent. I had probably a daily event that</b>	11	<b>12 made me feel unsafe or unhappy, at least one thing</b>
12	<b>13 would happen pretty consistently, minor to major,</b>	12	<b>14 so the frequency was high.</b>
13	<b>15 present very masculinely, and that was not</b>	15	Q K through 5, 6 through 8, 9 through 12,
14	<b>16 something that was unnoticed by peers and friends.</b>	16	every day --
17	Q And in that time frame, age 11 to 12,	17	<b>A Yes.</b>
18	what -- when you say it was noticeable, what	18	Q -- something happened?
19	notice -- what awareness did you have of the	19	<b>A Yes.</b>
20	notice that people were taking?	20	Q Okay.
21	<b>A Well, I was bullied pretty seriously in --</b>	21	<b>A And to clarify -- pardon me. I'm sorry.</b>
22	<b>22 throughout all of my school career, but elementary</b>	22	Q No. That's fine.
	26		28
1	<b>1 and middle including. Part of this bullying was</b>	1	<b>A That it was not necessarily that a major</b>
2	<b>2 centered around the fact that I was not</b>	2	<b>2 event would happen every day, but there was</b>
3	<b>3 traditionally feminine.</b>	3	<b>3 something that made me feel unsafe or -- or</b>
4	Q The word bullying can cover a broad range	4	<b>4 disliked for sure every day.</b>
5	of activities, depending on the -- I am sure there	5	Q So let's talk about major. What would you
6	is a definition but there is also perceptions.	6	perceive as major in the area of bullying?
7	What did you consider to be bullying?	7	<b>A Well, when I -- I would say major would be</b>
8	What bullying occurred?	8	<b>either an example where I have had something</b>
9	<b>A People threw things at me, people called</b>	9	<b>9 thrown at me or a particularly public bout of</b>
10	<b>10 me horrible names, people would refuse to sit near</b>	10	<b>10 ridicule or cases where a group would ridicule me</b>
11	<b>11 me, people would exclude me from activities.</b>	11	<b>11 publicly or perhaps a case where a chair was</b>
12	Q Now, these people that you are talking	12	<b>12 pulled out from under me. Those are examples that</b>
13	about, are those your peers?	13	<b>13 I can recall of things I consider more serious.</b>
14	<b>A Yes.</b>	14	Q And how about what would be something that
15	Q Members of your age group?	15	15 was not major, that was minor, and yet made you
16	<b>A Yes.</b>	16	16 feel, as you said, unsafe or disliked?
17	Q Where would these things occur?	17	<b>A I was -- I was called names with such</b>
18	<b>A Primarily in school.</b>	18	<b>18 frequency that I would consider an insult a minor</b>
19	Q What ages did this activity occur, like	19	<b>19 thing. I could expect to be called some kind of</b>
20	what grades?	20	<b>20 unkind name at least once or twice a day in</b>
21	<b>A Yes, sir. I have been bullied my entire</b>	21	<b>21 school.</b>
22	<b>22 school career, so all of them.</b>	22	Q What kind of names? Look, I am sorry I am

	29		31
1	asking you all these questions. I think it is all	1	helped them associate with you?
2	relevant, and so that's why I am asking the	2	<b>A I had friends that were friends of mine</b>
3	questions.	3	<b>because our mothers were close, I didn't really</b>
4	<b>A Okay.</b>	4	<b>have personal friends, people that I bonded with</b>
5	Q So what kind of names?	5	<b>like organically and could spend time with.</b>
6	<b>A Faggot, dike, homo, weirdo, references to</b>	6	Q But, in high school, these people actually
7	<b>my weight.</b>	7	were your friends?
8	Q Did you feel like there was any particular	8	<b>A Yes.</b>
9	group of people who were the ones more likely to	9	Q Okay. Can you tell me who those people
10	pick on you? I mean was it more boys than girls	10	10 were?
11	who were picking on you, was it more -- and, you	11	<b>A Do you need first and last names?</b>
12	know, we all went to high school, jocks versus	12	Q I would like first and last names, but if
13	whoever, or did you feel like it was any -- any	13	13 you know them, sure.
14	identifiable group of people?	14	<b>A Evelyn Hronec.</b>
15	<b>A I wouldn't know those people personally</b>	15	Q Help me with Hronec.
16	<b>enough to identify with groups they belong to.</b>	16	<b>A H-R-O-N-E-C. Olivia Pohorence,</b>
17	Q So these are people that you don't	17	<b>P-O-H-O-R-E-N-C-E. Camille Gibson.</b>
18	actually know?	18	Q C-A-M-M-I-L-E?
19	<b>A Well, I went to school with them. They</b>	19	<b>A L-L. C-A-M-I-L-L-E.</b>
20	<b>weren't my friends.</b>	20	Q That's what I wrote, it is not what I
21	Q Right. So let's go in the other	21	21 said.
22	direction. In K through 5, did you have friends?	22	<b>A And then Gibson.</b>
	30		32
1	<b>A Very few.</b>	1	Q Right.
2	Q How about middle school?	2	<b>A Alec Earwood, E-A-R-W-O-O-D. Caroline</b>
3	<b>A Also very few.</b>	3	<b>Cox, that is just C-O-X. And I think that -- that</b>
4	Q How about high school?	4	<b>is sufficient for my core group.</b>
5	<b>A I had a very strong core group of friends</b>	5	Q That's the core group?
6	<b>in high school.</b>	6	<b>A Yes, sir.</b>
7	Q In elementary school, were you and your	7	Q How about in terms of the people at the
8	brother -- would you consider you and your brother	8	school, were there any people at the school that
9	to be friends?	9	you felt like were your supporters and people --
10	<b>A No.</b>	10	10 in particular, I am asking about the high school.
11	Q Middle school?	11	<b>A In terms of staff or students?</b>
12	<b>A No.</b>	12	Q I am asking about staff and faculty now
13	Q High school?	13	13 that were supporters of yours.
14	<b>A No.</b>	14	<b>A Supporters of mine in what way?</b>
15	Q I might focus on the high school, but let	15	Q Just personally, like you felt like they
16	me just ask you about the elementary and middle	16	were there to help you and supported you in terms
17	school. Did you -- I mean who were your friends?	17	17 of whatever you were going through.
18	How were -- how did you become -- The few friends	18	<b>A Yes, I felt that there were a few staff</b>
19	that you had, how did you feel like that worked,	19	<b>that were -- that served that role.</b>
20	that you became friends with those people?	20	Q Who were they?
21	Was there any particular activity or thing	21	<b>A The nurses.</b>
22	that kind of helped you associate with them and	22	Q Names?

	33		35
1	<b>A I am trying to recall. Beverly Sabourin</b>	1	having conversations, her being supportive,
2	<b>and Niki -- I just knew her as Miss Niki. The</b>	2	nonsupportive, helpful, not helpful, or how did
3	<b>three librarians as well, whose names escape me at</b>	3	you perceive things between you and her during
4	<b>the moment.</b>	4	that sophomore year, when she was, according to
5	<b>And although I don't recall names, I do</b>	5	her, assigned to you?
6	<b>recall that the office staff were always friendly</b>	6	<b>A I don't ever recall her being malicious;</b>
7	<b>and kind, the women at the front desk.</b>	7	<b>however, I also cannot recall any individual</b>
8	Q What about the counselors and the	8	<b>conversations that we had.</b>
9	counseling staff?	9	Q So would you say it was neutral, or would
10	<b>A I would say Matthew Board would be one</b>	10	you say it was unhelpful or just kind of just
11	<b>person who I felt was a kind resource.</b>	11	really nothing?
12	Q Who was assigned -- Who were you assigned	12	<b>A I would say that I don't recall.</b>
13	13 to or was assigned to you, freshman, sophomore,	13	Q Okay. Let's go to the specific
14	14 junior, senior year?	14	conversation at the start of sophomore year, which
15	<b>A I don't really recall.</b>	15	15 you mentioned you and your mom and Miss Durr.
16	Q For sure, we know Tiffany Durr, sophomore	16	16 What do you recall about that?
17	17 year; right?	17	<b>A I recall that my mother and I approached</b>
18	<b>A Yes, but I do not recall for the other</b>	18	<b>her and informed her that I am a boy and my name</b>
19	<b>19 years.</b>	19	<b>19 is Gavin and had a discussion about what that</b>
20	Q Somebody named Neblett?	20	<b>20 meant for starting the school year.</b>
21	<b>A John Neblett?</b>	21	Q What do you recall about the discussion,
22	Q Yes. Was he ever your counselor?	22	22 what was said?
	34		36
1	<b>A I don't recall. I recall having spoken to</b>	1	<b>A I really don't recall anything else.</b>
2	<b>him but not about what or why.</b>	2	Q And did you speak?
3	Q How about your senior year, did anybody	3	<b>A I don't recall.</b>
4	4 talk to you about going to college or where you	4	Q How was the meeting arranged, if you
5	5 were going to college or, you know, any type of	5	recall?
6	6 counseling-type role like that?	6	<b>A I don't. I'm sorry.</b>
7	<b>A I really -- I don't recall.</b>	7	Q What was the result of the meeting, at
8	8 With respect to Miss Durr, what do you	8	least your understanding of the result of the
9	9 recall in terms of any interactions you had with	9	meeting?
10	10 her?	10	<b>A I cannot recall clearly.</b>
11	<b>A I really don't. I just recall that we had</b>	11	Q Any aspect that you recall?
12	<b>12 spoken at various points. Oh, may I correct</b>	12	<b>A No. I am sorry, I can't.</b>
13	<b>13 myself?</b>	13	Q At some point, you were -- it was agreed
14	14 Q Yes.	14	14 that you would go to school as Gavin.
15	<b>A Miss --</b>	15	<b>A Yes.</b>
16	16 Q You can always correct yourself, just so	16	Q Is that correct?
17	17 you know.	17	<b>A Yes.</b>
18	<b>18 A Miss Durr was the person that my mother</b>	18	Q And that you would be called by male
19	<b>19 and I contacted ahead of beginning sophomore year.</b>	19	19 pronouns?
20	20 Q Right. I was going to talk to you about	20	<b>A Yes.</b>
21	21 that, and we will talk in detail about that.	21	Q What else is your understanding
22	22 Other than that, do you remember you and her	22	22 eventually, when school started, in terms of what

	37		39
1	were the terms? I mean you would be starting	1	intentionally misgendered toward you?
2	school related to this request.	2	<b>A Not to my recollection.</b>
3	<b>A As I – as I understood it, I would be</b>	3	Q In terms of students doing that,
4	<b>starting school as Gavin and with male pronouns, I</b>	4	intentional misgendering toward you, how frequent
5	<b>was assured that malicious intentional</b>	5	was that?
6	<b>misgendering was not going to be permitted and</b>	6	<b>A Daily.</b>
7	<b>that – well, that malicious misgendering would</b>	7	Q Without asking you to repeat the litany of
8	<b>not be permitted, and I at that time had requested</b>	8	things that they called you, what would that look
9	<b>use of the nurse's office bathroom and was</b>	9	like other than name calling, if it wasn't name
10	<b>permitted to have access to that as well.</b>	10	calling, how would it happen?
11	Q The term malicious, or excuse me,	11	<b>A They would make a point to greet me by, of</b>
12	intentional misgendering, what does that mean?	12	<b>course, the dead name.</b>
13	<b>A Someone choosing to still refer to me with</b>	13	Q Right.
14	<b>female pronouns with the knowledge that that was</b>	14	<b>A Or make a point to identify me as a girl,</b>
15	<b>not appropriate.</b>	15	<b>for example, by saying isn't that a girl?</b>
16	Q And you were assured that that was not --	16	<b>Things – things designed to deliberately point</b>
17	that they would make every effort to make sure	17	<b>out the fact that I am transgender.</b>
18	that didn't happen?	18	Q Again, were there any particular people or
19	<b>A Yes.</b>	19	groups of people who were doing this?
20	Q And tell me what happened. Did it happen?	20	<b>A It was, generally speaking – well, I –</b>
21	<b>A By peers, yes, absolutely.</b>	21	<b>it was plenty of different people.</b>
22	Q So peers would intentionally misuse the	22	Q Okay. I guess what I am trying to figure
	38		40
1	wrong gender?	1	out is this. There is how many people in the
2	<b>A Yes.</b>	2	school, like 1800 students, 9 through 12?
3	Q How about any staff or faculty?	3	<b>A I don't know.</b>
4	<b>A I don't recall any intentional examples.</b>	4	Q I think that's right. Are we talking
5	Q Do you recall any accidental examples? I	5	about 3 handfuls of people who did this, or is it
6	mean the thing that was mentioned previously was	6	hundreds of people would do this? That's all I am
7	that maybe your name was still another name on a	7	trying to figure out.
8	piece of paper and someone said that name, not	8	<b>A It tended to be just groups, small groups</b>
9	knowing, and then -- but that would not be	9	<b>of people known to be unkind to others.</b>
10	intentional.	10	<b>Particularly – I just – I really just would</b>
11	<b>A Right. I recall that there were a few</b>	11	<b>rather not characterize –</b>
12	<b>instances of what I assumed to be unintentional</b>	12	Q I appreciate that. I don't like
13	<b>misgendering or deadnaming; however, I do not</b>	13	stereotyping anybody either, it is not what we are
14	<b>recall who or in what year that those things</b>	14	about. I am just trying to figure out, if you are
15	<b>occurred.</b>	15	walking down the hall and you go I need to be over
16	Q Deadnaming?	16	here because I don't want to deal with those
17	<b>A For example, referring to me with the name</b>	17	17 people, or is it literally like anybody out of
18	<b>that was given to me at birth.</b>	18	18 nowhere could come up to you and all of a sudden
19	Q That's called deadnaming?	19	19 say something to you and like I don't even know
20	<b>A Yes, sir.</b>	20	20 who that person is.
21	Q So just to make sure we are clear, to your	21	<b>A It was traditionally the same group of</b>
22	recollection, there was no staff or faculty who	22	<b>22 people. It wasn't three people, but it was also</b>

	41		43
<p><b>1 not something that I expected from the entire</b></p> <p><b>2 student body.</b></p> <p>3 Q So most people would walk by and just mind</p> <p>4 their own business?</p> <p><b>5 A Yes.</b></p> <p>6 Q But there were certain people that didn't?</p> <p><b>7 A Yes.</b></p> <p>8 Q I got it. I am going to talk about 9th</p> <p>9 grade. You entered 9th grade, the records were</p> <p>10 that you were female and you had not officially</p> <p>11 made any request otherwise. Tell me about your</p> <p>12 9th grade year in terms of how you functioned and</p> <p>13 at some point you left school and that kind of</p> <p>14 thing.</p> <p><b>15 A My 9th grade year was difficult, I</b></p> <p><b>16 understood myself at that point, I understood that</b></p> <p><b>17 I was a boy but did not feel able to reveal that</b></p> <p><b>18 to others, and so the pressure of pretending to be</b></p> <p><b>19 someone who I was not and of being recognized as a</b></p> <p><b>20 girl, when that was incredibly distressing to me,</b></p> <p><b>21 made that year very difficult.</b></p> <p>22 Q And in terms of being, as you say,</p>		<p><b>1 distress.</b></p> <p>2 Q When you say always, since when?</p> <p><b>3 A I recall being very young, and although</b></p> <p><b>4 not having the thought I am a boy, having the</b></p> <p><b>5 thought this name is far too feminine for me, I</b></p> <p><b>6 think I like Alex better, things like that, erring</b></p> <p><b>7 towards neutral things.</b></p> <p>8 Q Right. When do you think you first</p> <p>9 expressed that concern about the name?</p> <p><b>10 A I do not think it was something I ever</b></p> <p><b>11 vocalized something to family; however, in</b></p> <p><b>12 imaginary play, when I was very young, I was</b></p> <p><b>13 always in a male role with a neutral name or a</b></p> <p><b>14 male name, so that was an anxiety from very early.</b></p> <p>15 Q So is there anything in particular that</p> <p>16 happened in 9th grade that resulted in you</p> <p>17 deciding that you couldn't stay at the school?</p> <p>18 Was there a triggering event or was it just a</p> <p>19 cumulative effect?</p> <p><b>20 A I cannot recall if there was or was not a</b></p> <p><b>21 triggering event; however, I do recall that the</b></p> <p><b>22 cumulative stress was very – was very great.</b></p>	
	42		44
<p>1 recognized as a girl, how often in the course of a</p> <p>2 day would something happen that you would be --</p> <p>3 feel like you were being recognized as a girl?</p> <p>4 I mean, if you are in math class and</p> <p>5 somebody says what is the answer to question</p> <p>6 number 4, you are not recognized as a boy or a</p> <p>7 girl, you are just a student, you are being asked</p> <p>8 a question.</p> <p>9 So how often was it that something would</p> <p>10 happen and you would think I am being treated like</p> <p>11 a girl as opposed to just a person?</p> <p><b>12 A When I would be referred to as ma'am in</b></p> <p><b>13 class, when I would raise my hand to answer the</b></p> <p><b>14 question and the response would be yes, ma'am, for</b></p> <p><b>15 example, when peers and teachers would refer to me</b></p> <p><b>16 with a female name, for example.</b></p> <p>17 Q So the name at some point became, I will</p> <p>18 use the term a burden for you, I mean the fact</p> <p>19 that was your name. I am not going to say it, we</p> <p>20 agreed not to use it. Is that right, the name?</p> <p><b>21 A Yes, the name from the -- the name has</b></p> <p><b>22 always, because of its femininity, caused</b></p>		<p>1 Q How would you describe how you felt at</p> <p>2 that point in time?</p> <p><b>3 A What point in time, sir?</b></p> <p>4 Q When you made the decision that you were</p> <p>5 going to not continue going full-time to school in</p> <p>6 the 9th grade, or however that came about. I</p> <p>7 don't even know how it came about.</p> <p>8 Tell me how it came about I guess would be</p> <p>9 a better foundation question.</p> <p><b>10 A I am sorry. Do you mind reframing the</b></p> <p><b>11 question?</b></p> <p>12 Q Sure. At some point in time, in the</p> <p>13 spring semester of your 9th grade year, you</p> <p>14 stopped attending school daily; is that true?</p> <p><b>15 A Yes.</b></p> <p>16 Q How did that come about?</p> <p><b>17 A My ability to function became so</b></p> <p><b>18 diminished, that it was not actually possible for</b></p> <p><b>19 me to continue to go to school.</b></p> <p>20 Q So tell me what that means.</p> <p><b>21 A It means I was – I -- I was experiencing</b></p> <p><b>22 major depression, my social anxiety related to</b></p>	

<p>45 1 being gendered incorrectly was so bad that I was 2 afraid to go outside, where I might encounter 3 other people, for example. I academically could 4 not focus, I was just -- I was miserable. 5 Q And what occurred? What steps, as best 6 you can recall, occurred in terms of communicating 7 that with the school or with your parents 8 communicated, your father or mother? 9 A I really don't recall. 10 Q How long a period of time was it that you 11 were not attending school on a daily basis at that 12 9th grade spring semester? 13 A I can't recall. I -- I don't recall if it 14 was for the duration of the rest of that year or 15 not, I don't recall. 16 Q What was the level of support you were 17 receiving from your mother at that point in time 18 in terms of trying to help you through this? 19 A Regarding my difficulties at school or my 20 gender expression? 21 Q Just your ability to function, period, 22 whether it was difficulty at school or gender</p>	<p>47 1 MR. CORRIGAN: We have been going a while. 2 Why don't we take a minute. 3 (Recess from 10:28 a.m. to 10:45 a.m.) 4 A Sir, I have recalled a few different 5 details to share with you. 6 Q Sure. 7 A The first being that, when I did meet with 8 Tiffany Durr, I do not think it is accurate that I 9 requested the use of the nurse's restroom, I -- 10 more accurately, I believe it was an option 11 offered to me, which I then accepted. 12 Additionally, I have a few antidotes from, 13 you know, growing up, which follows the line of 14 inquiry about, you know, male expressions. 15 The first being in middle school -- I 16 expressed that I didn't really have friends in 17 middle school, and the group of friends I 18 mentioned in high school, we met in middle school; 19 however, at that point they had not become my core 20 groups of friends, which was why I phrased that 21 the way I did; however, at some point in -- 22 actually, pardon me. Do you -- does --</p>
<p>46 1 expression or anything else? 2 A Well, at that time my mother was, of 3 course, willing to pull me out of school and allow 4 me to do an alternative program. 5 Q What is your recollection of the 6 alternative program? Was it home school? 7 A It -- it -- I think it was referred to as 8 homebound schooling and was online. 9 Q So did you complete your 9th grade classes 10 online? 11 A As far as I recall. 12 Q Did you -- Did the school, to your 13 understanding, have any understanding -- I'll 14 start over on that one. 15 What was your understanding of the 16 school's perception of what your issue was? 17 MR. BLOCK: Objection. 18 A I don't recall. 19 Q Did you speak to anybody in the 20 administration with respect to why it was that you 21 were going to go to an alternative program? 22 A I don't recall.</p>	<p>48 1 When we were -- When Peasley was taken out 2 by a tornado and we went to school in a trailer, 3 this was when that happened, so actually this 4 could have been 9th grade. In fact, it was 9th 5 grade, so this was not middle school at all. 6 9th grade, my -- my friends and I, two of 7 my friends, I don't recall who of the two, we were 8 walking, and at that time I was presenting fully 9 as male, although I had not revealed that, I had 10 not revealed my gender identity to any of my 11 friends, and one of my friends saw a student, 12 presumably assigned male at birth, and made the 13 comment that looks like the male version of Gavin, 14 but using, of course, the name they knew me as at 15 the time; and my other friend said, in response, 16 Gavin is the male version of Gavin. 17 So on another occasion, when my sister got 18 married, one of -- the half sister on my mother's 19 side, my -- my mother insisted I wear a dress, and 20 that was a process that took hours and countless 21 stores because I would walk in, take one look, 22 nope, not doing any of them, hate them all, and</p>

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1 then we'd go to the next one.		1 school or somewhere else?	
2 I -- I really fought hard to not wear a		2 A I don't.	
3 dress and eventually, after lots of tears and		3 Q Spring semester of 9th grade is kind of	
4 fights, came to agree to wear one that was just		4 where we left off. Physically, did you have any	
5 like completely black, was just like a square with		5 facial hair at that time, in spring semester of	
6 straps, and I was incredibly distressed, and at		6 9th grade?	
7 the wedding the first thing that I greeted my		7 A I -- well, perhaps more than was common	
8 relatives with was please don't call me pretty,		8 for someone assigned female at birth, but it was	
9 please don't call me pretty, because I did not		9 not -- pardon. At that time, I had not begun	
10 want to be referred to in a femininely-aligned		10 hormone replacement therapy, but I -- yes, I did	
11 way, and I do not recall what year my sister got		11 have a little rat 'stache I was proud of.	
12 married, but that would have been probably -- I		12 Q I assume a rat 'stache --	
13 was probably prepubescent at the time.		13 A Pardon me.	
14 Q So 11, 12?		14 Q -- is some hair on your upper lip?	
15 A Around, or perhaps earlier, I was -- it		15 A Just a tiny patchy little thing that I	
16 was, yes, it was around in that range.		16 just was -- I loved to not shave.	
17 Q Okay.		17 Q With that semester in school, you had not	
18 A And then there was one example where, as a		18 come out to the school itself?	
19 class, I can't remember the parameters, but we		19 A The school itself, no; however, by the end	
20 were asked to line up boy, girl, boy, girl. Or,		20 of that year, some of my friends knew.	
21 in fact, I -- so I don't recall the setting, if		21 Q And how did that happen? How did they	
22 this was gym or what have you or whatever, but I		22 know?	
	50		52
1 remember that I had been just assigned to like		1 A I -- I just informed them that, going	
2 stand in line with the boys because visually,		2 forward, I would like them to refer to me with	
3 looking at me, the person had assumed I was or		3 male pronouns and Gavin.	
4 correctly determined that I was a boy, although at		4 Q Where did the name Gavin come from?	
5 the time I was still understood socially to be a		5 A My mother chose it for me.	
6 girl, and that was a moment of great joy for me,		6 Q What do you recall about how that	
7 so that's another sort of transitional antidote.		7 occurred?	
8 Q And that last antidote was at school?		8 A Well, I -- I don't recall the moment where	
9 A I believe so. Actually, I will say I		9 Gavin was decided upon, but I just recall the	
10 don't recall just because I can't say with		10 process was that my mother would be how about	
11 certainty.		11 this? No. How about this? Absolutely not. And	
12 Q But it was somewhere where you and other		12 eventually we came to a point where I was okay	
13 children at the time were being asked to line up		13 with what she had chosen.	
14 and the adult in charge identified you as a boy?		14 Q Were you suggesting names to her as well	
15 A Yes.		15 and getting her feedback?	
16 Q And that was a source of joy for you?		16 A I don't recall. It was established at	
17 A Yes.		17 that point that, in fact, she had made the	
18 Q How old approximately were you?		18 statement that she -- if I did not allow her to	
19 A I was -- I was -- this would have been		19 choose my name, that it would not be changed. She	
20 before transition, so I was in the range of 9 to		20 was --	
21 12.		21 Q Eventually, you were okay with that, as	
22 Q But you don't recall whether that was		22 long as you approved of the name?	

	53		55
1	<b>A I would have preferred to self-identify;</b>	1	determined to be gender dysphoria?
2	<b>however, I am not unhappy with the name Gavin.</b>	2	<b>A Are you asking if I was under any mental</b>
3	Q Okay.	3	<b>healthcare at the time or if I was specifically</b>
4	<b>A They're -- well --</b>	4	<b>seeing someone for gender dysphoria?</b>
5	Q What were you going to say?	5	Q I am asking if you had discussed anything
6	<b>A It is -- I am not entirely sure how</b>	6	with regard to this with any healthcare provider.
7	<b>relevant it is, it is just the name actually -- I</b>	7	<b>A No.</b>
8	<b>had given the name to a turtle my brother found in</b>	8	Q When did that first occur? It doesn't
9	<b>the York River, I had called the turtle Gavin, and</b>	9	have to be a psychologist, it could have been your
10	<b>my mother insists that she was not aware that that</b>	10	family doctor, it could have been just any
11	<b>was what the turtle's name was, because my brother</b>	11	healthcare provider.
12	<b>called it Bubba; however, I am somewhat of the</b>	12	<b>A I actually want to correct myself. I had</b>
13	<b>belief that I am named after a turtle.</b>	13	<b>a therapist when I was 8, who I at the time</b>
14	Q Your mother swears that's not so?	14	<b>expressed -- I did not use the language that I was</b>
15	<b>A She will say that it is not so.</b>	15	<b>transgender; but I had expressed that I felt like</b>
16	Q Okay. Did your brother or your father	16	<b>a boy, and that didn't go anywhere. It was a</b>
17	participate in this renaming discussion?	17	<b>religious counseling institution, and so it was</b>
18	<b>A No.</b>	18	<b>dissuaded rather than encouraged, or not</b>
19	Q At what point did you begin any type of	19	<b>encouraged, but rather than respected, I suppose,</b>
20	treatment which you understood as treatment for --	20	<b>and so I did not vocalize that to a professional</b>
21	22 and eventually the term gender dysphoria is what	21	<b>22 after that point until -- until after I cut my</b>
	is identified. At what point did any treatment		<b>hair, I believe.</b>
	54		56
1	for that occur, as your best recollection?	1	Q So sometime after you were 12 years old,
2	<b>A Are you referring to specifically medical</b>	2	after you got --
3	<b>steps or the beginning of like my attempts to</b>	3	<b>A Yes, after I was 12.</b>
4	<b>alleviate that dysphoria?</b>	4	Q Do you remember who you first spoke to
5	Q The beginning of your attempts to	5	about it, healthcare provider?
6	alleviate.	6	<b>A I --</b>
7	<b>A I was -- I believe I cut all of my hair</b>	7	MR. BLOCK: After he cut his hair?
8	<b>off when I was 12, which was one of the first</b>	8	MR. CORRIGAN: Yes.
9	<b>things that I did to begin a transition.</b>	9	Q After you cut your hair.
10	<b>Following that, when I was 13, I purchased a</b>	10	<b>A There was one therapist, who I cannot</b>
11	<b>garment, which would flatten my breasts, and then,</b>	11	<b>place on a timeline, it -- I don't recall when I</b>
12	<b>when I was 14, I revealed to my mother that I was</b>	12	<b>saw this person, and I also do not recall the name</b>
13	<b>a boy, and by the time I was I believe 15, I had</b>	13	<b>of the doctor because I had a nickname for --</b>
14	<b>begun hormone replacement therapy in the form of</b>	14	<b>which I never said to her, but a nickname that</b>
15	<b>testosterone injections. Or perhaps, actually, I</b>	15	<b>just was a feature of hers, that was helpful for</b>
16	<b>believe I -- did I say 15?</b>	16	<b>me to remember what doctor that was, but I don't</b>
17	Q Yes.	17	<b>recall her name, and she was the first provider</b>
18	<b>A Yes, sir, so that's correct.</b>	18	<b>that I had mentioned that to.</b>
19	Q At the time you cut your hair off, were	19	<b>But the first provider that I actually</b>
20	you seeing any healthcare provider who was	20	<b>sought gender specific care from was Dr. Lisa</b>
21	providing you with any sort of guidance with	21	<b>Griffin.</b>
22	respect to this question of what ultimately was	22	Q The person before Dr. Lisa Griffin, was

	57		59
1	that someone in the Gloucester community?	1	positive light, what light was it that the term
2	<b>A She was more local than Dr. Lisa Griffin,</b>	2	transgender was open to you?
3	<b>but I cannot recall if she was within Gloucester</b>	3	<b>A Well, my home environment as well as the</b>
4	<b>or outside of Gloucester.</b>	4	<b>community environment was very conservative, and I</b>
5	Q When you say more local, it might have	5	<b>also grew up in an environment, which was very</b>
6	been York, it might have been Hampton Roads,	6	<b>religious and specifically religious in such a way</b>
7	Hampton or Newport News or --	7	<b>where the teachings of those churches were that,</b>
8	<b>A I -- I really don't recall. It was not --</b>	8	<b>for example, being gay is wrong and evil, and so</b>
9	<b>for -- for example, Richmond would have been an</b>	9	<b>it was just in context of those sorts of things.</b>
10	<b>10 hour and a half of a drive, and it was much, much</b>	10	<b>Just -- you know, my understanding of</b>
11	<b>11 less than that --</b>	11	<b>11 trans people were that they were strange or bad,</b>
12	Q Right.	12	<b>12 or up until that point or that life, you know, is</b>
13	<b>A -- from my home in Gloucester, so sort of</b>	13	<b>13 difficult, and I don't think I ever held those</b>
14	<b>14 in that kind of 30-minute driving circle, that was</b>	14	<b>14 convictions personally but was fearful of the</b>
15	<b>15 where they practiced.</b>	15	<b>15 reception of others.</b>
16	Q This person, what were you seeing them	16	Q So the term transgender, I mean did you
17	for?	17	hear it at church, did you hear it at Sunday
18	<b>A I -- at the time, what I recall of the</b>	18	school, did you hear it in your house, or was it
19	<b>19 stated reasons was, of course, because at that</b>	19	at school, or where was the first time that
20	<b>20 point, my mother was the one who contacted the</b>	20	someone said transgender and you went I know what
21	<b>21 doctors --</b>	21	that means, I think that's what I am feeling?
22	Q Right.	22	<b>A Yes. It was a YouTube video, it was an</b>
	58		60
1	<b>A -- and communicated these things. The</b>	1	<b>1 individual on YouTube who made videos where they</b>
2	<b>understanding at the time was that the treatment</b>	2	<b>2 would dress up as a character from a show I liked</b>
3	<b>3 was for generalized anxiety and severe depression.</b>	3	<b>3 at the time, and in one video that I saw, they</b>
4	Q Who is it, as best you know, who referred	4	<b>4 appeared physically female and in another video I</b>
5	you to Dr. Lisa Griffin?	5	<b>5 saw, which I later realized was dated a year after</b>
6	<b>A I really don't recall. I -- I know that</b>	6	<b>6 the first one, they appeared physically male, and</b>
7	<b>7 it was, of course, somebody in the know of the</b>	7	<b>7 I was totally -- I was just ecstatic that that was</b>
8	<b>8 transgender community, but I do not recall who</b>	8	<b>8 something people could do.</b>
9	<b>9 that person was.</b>	9	Q Who was the individual, do you remember?
10	Q The term transgender you have said several	10	A The channel was called Twin Fools.
11	times, when you were younger, you didn't know that	11	Q T-W-I-N, F-O-O-L-S?
12	term. When did you first learn that term?	12	A Yes. I don't know if it is still active
13	<b>A I was around 12, I would say, when I</b>	13	13 or anything like that.
14	<b>14 discovered that term.</b>	14	Q And the individual was they were on a show
15	Q About the time you cut your hair?	15	15 or it was just a video that they had done
16	<b>A Probably; however, it was not -- I did not</b>	16	16 themselves?
17	<b>17 immediately recognize that label as being</b>	17	A They just made YouTube videos.
18	<b>18 accurate, because it was something that was -- it</b>	18	Q Okay. Do you know who the person was?
19	<b>19 was not a concept that I had been introduced to in</b>	19	A No, not personally. It was --
20	<b>20 a positive light, and that had caused anxiety</b>	20	Q Do you remember their name, did they have
21	<b>21 relating to my knowledge that that was accurate.</b>	21	21 a stage name?
22	Q Right. So how was it, if it wasn't a	22	A Oh, I have no idea. I don't know. I was

	61		63
1 <b>quite young.</b>		1 <b>concept, and so the morning of the party, I had --</b>	
2 (Discussion held off the record.)		2 <b>I was nearly just totally catatonic with my grief</b>	
3 Q So how old were you the first time you saw		3 <b>and anxiety.</b>	
4 Dr. Lisa Griffin?		4 <b>And I had locked myself in my bedroom</b>	
5 <b>A I believe 15.</b>		5 <b>because -- because I mean I didn't -- I wasn't</b>	
6 Q So was that the spring of your 9th grade		6 <b>going to experience a birthday as a birthday girl,</b>	
7 year or was it later?		7 <b>that was my position, and so my father had knocked</b>	
8 <b>A I -- I did not -- I did not tell my mother</b>		8 <b>on the door after that point and asked me what the</b>	
9 <b>who I was until the summer before or the summer</b>		9 <b>problem was; and I had informed him, I said well,</b>	
10 <b>after my 9th grade year, so that would have been</b>		10 <b>Mom said I am not allowed to tell you, and so, of</b>	
11 <b>later.</b>		11 <b>course, he goes outside, asks Mom what it is that</b>	
12 (Discussion held off the record.)		12 <b>I am not allowed to tell him, and she told him and</b>	
13 Q Let's talk about telling your mother who		13 <b>then called all of my relatives.</b>	
14 you were. When and where was that?		14 Q Your mother did?	
15 <b>A My mother knows the calendar date, I do</b>		15 <b>A Yes. Yes. Yes, sir. My mother told my</b>	
16 <b>not. I believe we were in the kitchen at my home</b>		16 <b>father that I was a boy, called all my relatives,</b>	
17 <b>and she had said the word transgender, which is</b>		17 <b>who were mostly on the way already, said that I</b>	
18 <b>not a word I knew or I was aware that she was</b>		18 <b>was a boy, and then later, at the party, was when</b>	
19 <b>aware of, and I had previously downloaded a PDF</b>		19 <b>my brother found out, the name Gavin had been</b>	
20 <b>about what it means to be a transgender on a Nook,</b>		20 <b>written on the birthday cake, in lieu of the</b>	
21 <b>and so when she said the word transgender, I ran</b>		21 <b>incorrect name that had originally been there, my</b>	
22 <b>off to find the Nook, I couldn't find it, so I</b>		22 <b>mother had wiped the wrong one off and had written</b>	
	62		64
1 <b>came back and told her; and at that time she told</b>		1 <b>Gavin, and my brother came down the stairs and</b>	
2 <b>me that I was not allowed to tell my extended</b>		2 <b>asked everyone why the turtle's name was on the</b>	
3 <b>family or the rest of my family.</b>		3 <b>cake, because he was aware that the turtle's name</b>	
4 Q So you told her I'm a boy, I'm a		4 <b>was Gavin but not that my name was Gavin, and so I</b>	
5 transgender boy?		5 <b>had to take him in the other room and explain, and</b>	
6 <b>A Yes.</b>		6 <b>so basically everyone found out on the day of my</b>	
7 Q And what was her reaction other than --		7 <b>15th birthday.</b>	
8 Before she said don't tell anybody else, what was		8 Q And how did it go with you and your	
9 her reaction?		9 brother with you explaining that to him?	
10 <b>A She hugged me and said she loved me and we</b>		10 <b>A Well, I said that's not the turtle's name,</b>	
11 <b>would get through this, those sorts of things.</b>		11 <b>that's my name, I'm a boy, and he said no, you're</b>	
12 Q Okay. Then she said we are not going to		12 <b>not, and he ran out of the room, but he didn't</b>	
13 tell your father, your brother or anybody else?		13 <b>mention the turtle after that.</b>	
14 <b>A Yes.</b>		14 <b>And following that was supportive to</b>	
15 Q At what point in time did your father and		15 <b>whatever degree. I mean he was never rah-rah</b>	
16 your brother become aware of this?		16 <b>trans.</b>	
17 <b>A Back to the turtle, at my 15th birthday</b>		17 Q Right.	
18 <b>party, I -- you know, I was still sort of under</b>		18 <b>A However, he respected me as a man, as with</b>	
19 <b>that gag order, and so I was prepared to</b>		19 <b>male pronouns, with the name Gavin. That was not</b>	
20 <b>experience a birthday as a birthday girl again --</b>		20 <b>a point of negotiation in my household.</b>	
21 Q Right.		21 Q What was not?	
22 <b>A -- which was intensely traumatic as a</b>		22 <b>A It was not an option for anybody living</b>	

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<p>1 <b>under that roof to misgender me or dead name me</b></p> <p>2 <b>intentionally. It was something that my mother</b></p> <p>3 <b>had made very clear that she would not tolerate.</b></p> <p>4 Q So would you say, from that point forward,</p> <p>5 that your father and brother were supportive or</p> <p>6 not, unsupportive?</p> <p>7 <b>A I would say not, unsupportive, remained</b></p> <p>8 <b>the dynamic for a little while there,</b></p> <p>9 <b>transitioning into just it's everyday life now and</b></p> <p>10 <b>he is my brother, he is my son, and that's the</b></p> <p>11 <b>extent of the conversation.</b></p> <p>12 Q Okay. At what point do you think it</p> <p>13 became he's my brother, he's my son?</p> <p>14 <b>A Perhaps after a few months of getting used</b></p> <p>15 <b>to it, and I – and especially once I had began</b></p> <p>16 <b>hormone replacement therapy and they recognized</b></p> <p>17 <b>that it was something I was serious about.</b></p> <p>18 Q How did that affect you when they -- when</p> <p>19 it became he is my brother, he is my son, instead</p> <p>20 of merely not, unsupportive?</p> <p>21 <b>A You know, being in a hostile environment</b></p> <p>22 <b>in the home is incredibly detrimental to one's</b></p>		<p>1 now going to get into the details of the case,</p> <p>2 like from this point forward.</p> <p>3 All right. The first meeting with the</p> <p>4 guidance counselor, did you also meet with the</p> <p>5 principal at the same time or did you just meet</p> <p>6 first with the guidance counselor?</p> <p>7 <b>A As I recall, it was first with just the</b></p> <p>8 <b>guidance counselor.</b></p> <p>9 Q That was Miss Durr?</p> <p>10 <b>A Yes.</b></p> <p>11 Q Do you remember having an initial meeting</p> <p>12 at some point in time with the principal Nate</p> <p>13 Collins?</p> <p>14 <b>A I do remember speaking to him, yes. I do</b></p> <p>15 <b>not recall, however, if that was before the school</b></p> <p>16 <b>year began or after the school year began.</b></p> <p>17 Q Okay. Was he involved in the initial plan</p> <p>18 that you would use the nurse's office for the</p> <p>19 restroom and be called by male pronouns, or was</p> <p>20 that done with or without his knowledge, as best</p> <p>21 you recall?</p> <p>22 <b>A I don't recall to what extent he was</b></p>	
	66		68
<p>1 <b>mental health, so having the shift from mild</b></p> <p>2 <b>hostility, you know, begrudging acceptance to, you</b></p> <p>3 <b>know, you are my brother, you are my son, greatly</b></p> <p>4 <b>alleviated some of my anxiety.</b></p> <p>5 Q So approximately when would you say -- to</p> <p>6 me, you identified three stages there just now of</p> <p>7 mildly unsupportive, whatever you said, and then</p> <p>8 kind of neutral, and then actually you are my</p> <p>9 brother, you are my son.</p> <p>10 <b>A Yes.</b></p> <p>11 Q Over what period of time do you think</p> <p>12 those three stages occurred?</p> <p>13 <b>A I would say that full evolution was over</b></p> <p>14 <b>the course of perhaps a year.</b></p> <p>15 Q So tell me about your relationship with</p> <p>16 your brother before any of this came into being.</p> <p>17 What -- how would you describe your relationship</p> <p>18 with your brother?</p> <p>19 <b>A He – we didn't have a relationship. He</b></p> <p>20 <b>and I ran in different circles, and we just didn't</b></p> <p>21 <b>communicate very often.</b></p> <p>22 Q Okay. Let's go back to the meeting. I am</p>		<p>1 <b>involved in the decision to have me in the nurse's</b></p> <p>2 <b>bathroom; however -- pardon me.</b></p> <p>3 <b>Could you restate the second part?</b></p> <p>4 Q Yes. What I am trying to figure out is</p> <p>5 whether your recollection is that Mr. Collins was</p> <p>6 involved in this initial decision, the initial --</p> <p>7 <b>A Right.</b></p> <p>8 Q -- be called Gavin, male pronouns, use the</p> <p>9 nurse's office, or whether his involvement came</p> <p>10 later, when you were talking about using the boys'</p> <p>11 restroom. In other words, was he involved in that</p> <p>12 first set of conversations, as best you recall?</p> <p>13 <b>A As -- as best I can recall, there had been</b></p> <p>14 <b>a discussion with him wherein he assured me that</b></p> <p>15 <b>bullying was not going to be tolerated and that I</b></p> <p>16 <b>should report to him, should something like that</b></p> <p>17 <b>happen. I do not recall, however, at what point</b></p> <p>18 <b>that conversation happened.</b></p> <p>19 Q In the time that you were -- let's go</p> <p>20 before you identified and came to school in the</p> <p>21 summer, so in 9th grade, did you ever report</p> <p>22 bullying, did you ever go to the teachers or go to</p>	

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1	the counselors or anybody to say something has	1	Q I am sorry. 10th grade. I apologize.
2	happened today, this is what's happened today,	2	That was a misstatement on my part.
3	something specific?	3	<b>A Yes, sir. I -- for the period of time</b>
4	<b>A So because I had been bullied throughout</b>	4	<b>before I requested use of the men's facilities?</b>
5	<b>my school career, I had felt consistently like it</b>	5	Q Yes.
6	<b>didn't matter to the administration, I was</b>	6	<b>A I -- I recall sort of an adjustment</b>
7	<b>never -- I don't feel it was ever handled</b>	7	<b>period, where peers who had, for example, known me</b>
8	<b>appropriately, I had to be home schooled in 3rd</b>	8	<b>previously as something else would -- it was, you</b>
9	<b>grade because no one handled the bullying, and so</b>	9	<b>know, they slowly began to realize individually</b>
10	<b>by that time I feel that I had developed a</b>	10	<b>that, clearly, something had changed and had, you</b>
11	<b>perception that no one was going to help me, and</b>	11	<b>know, their own varying opinions on that.</b>
12	<b>so I think I reported these things with less</b>	12	<b>I do recall an example where I had walked</b>
13	<b>frequency -- certainly with less frequency than</b>	13	<b>into class and a previous classmate, after the</b>
14	<b>they happened.</b>	14	<b>teacher had called out my name for attendance or</b>
15	Q In 9th grade, the entire year, that fall	15	<b>something, and I said here, you know, after having</b>
16	and spring semester, do you have any recollection	16	<b>been called Gavin, a former classmate of mine sort</b>
17	of ever actually reporting a specific incident of	17	<b>of started laughing, and I heard him tell everyone</b>
18	what you believe was bullying to a teacher or	18	<b>that's a chick, that's a chick, and then he said</b>
19	administrator?	19	<b>hey, name, hey, name, hey, name, name, of course,</b>
20	<b>A I know there was a lot, but I cannot</b>	20	<b>being my dead name, like trying to get my</b>
21	<b>recall if I had ever reported anything.</b>	21	<b>attention with the incorrect name, and that is</b>
22	Q Same question about 10th grade. In 10th	22	<b>something I did report.</b>
	70		72
1	grade, was there ever any specific incident that	1	Q Who did you report it to?
2	you reported to a teacher or administrator of	2	<b>A The teacher in the classroom at that time,</b>
3	something that you believe was bullying?	3	<b>I do not recall the name of the teacher.</b>
4	<b>A I don't -- I don't recall.</b>	4	Q Do you remember what class or what
5	Q Same question for 11th grade.	5	subject?
6	<b>A I don't recall.</b>	6	<b>A I don't. I do not.</b>
7	Q And 12th grade.	7	Q Do you remember what action, if any, was
8	<b>A I don't recall.</b>	8	taken?
9	Q So let's talk about 9th grade. You have	9	<b>A I -- I recall that the teacher assured me</b>
10	the conversation with Miss Durr, possibly	10	<b>that, I believe it was a female teacher, that she</b>
11	Principal Collins, it is agreed that you will use	11	<b>would speak to him, and nothing like that happened</b>
12	the nurse's office, be called Gavin, be a male,	12	<b>afterwards in that class.</b>
13	pronouns, and that, if anything comes up, you will	13	Q When you say nothing like that happened,
14	let them know.	14	you are not saying she didn't speak to him, you
15	So tell me, how does that go for that	15	are saying that child never said that's a chick,
16	first period of time. We know eventually you go	16	hey, name, again.
17	talk to him about using the boys' room, but in	17	<b>A Correct.</b>
18	that period of time before you start using the	18	Q That never happened again?
19	boys' room, describe what was happening on a daily	19	<b>A Correct.</b>
20	basis.	20	Q So it was a one-time incident?
21	<b>A I believe you said 9th grade. That would</b>	21	<b>A From that child. There was other</b>
22	<b>have been 10th grade.</b>	22	<b>ridicule, however.</b>

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1	Q That child. I wasn't trying to overstate	1 commented on how long you had been gone to the
2	it.	2 restroom, do you remember any other specific
3	<b>A Right.</b>	3 incidents with respect to events that occurred
4	Q Just that particular incident with that	4 that caused you anxiety, shame, stigma,
5	particular class occurred on one occasion, and you	5 embarrassment?
6	reported it to the teacher; and, to your	
7	knowledge, it never happened again; correct?	<b>A A point where I would miss valuable</b>
8	<b>A Yes.</b>	<b>instruction time, because I had to travel farther</b>
9	Q What else can you recall in that time	<b>for the restroom. Importantly as well, at the</b>
10	frame, in the first three or four weeks, maybe a	<b>time I had mentioned the compression garment, and</b>
11	little longer, of 10th grade, your using the	<b>10 that is a garment that needs to be adjusted</b>
12	nurse's restroom.	<b>11 throughout the day a few times, or else it can</b>
13	<b>A I can recall that I began to feel anxiety</b>	<b>12 physically damage my body including rib</b>
14	<b>and shame and stigma surrounding traveling to the</b>	<b>13 deformation, respiratory issues, and so it was</b>
15	<b>nurse's restroom during that time. I can recall</b>	<b>14 important that I had access to a bathroom</b>
16	<b>frustration with missing class time because of it,</b>	<b>15 frequently enough to make sure that I was not</b>
17	<b>and perhaps some embarrassment, because I had the</b>	<b>16 harmed, and I recall that, because of that, I did</b>
18	<b>perception, of course, that the other students</b>	<b>17 have anxiety over how much instructional time I</b>
19	<b>19 knew why I am going to the nurse, because, you</b>	<b>18 was missing.</b>
20	<b>20 know, I am the transgender kid, so I remember that</b>	19 Q So how often did you have to go to the
21	<b>21 being an anxiety that developed and intensified</b>	20 restroom?
22	<b>22 during that period of time.</b>	21 A Well, I would say -- I would say, for
	74	22 restroom functions, perhaps twice a day and then,
1	Q Okay. Was there ever anything specific	76
2	that happened, any statements by another student,	<b>1 to adjust that garment, that is something that I</b>
3	statements by a teacher, anyone else, that helped	<b>2 would have to do three or four times throughout a</b>
4	create the anxiety, shame, stigma, embarrassment	<b>3 school day, often times I would, you know, do that</b>
5	that you mentioned?	<b>4 when I went to the bathroom, but sometimes I</b>
6	<b>A Yes.</b>	<b>5 couldn't.</b>
7	Q What?	6 Q Why not?
8	<b>A There was one example of a teacher, I</b>	7 A Or rather not sometimes that I couldn't,
9	<b>cannot recall what teacher, but that the teacher</b>	<b>8 but sometimes that it happened, it would</b>
10	<b>10 was male, who after a lengthy disappearance from</b>	<b>9 reposition itself in a way that I needed to</b>
11	<b>11 class to use the bathroom, because, of course, it</b>	<b>10 correct in a position where I -- I didn't need to</b>
12	<b>12 was farther from my class than the bathrooms</b>	<b>11 go to the bathroom for any other reason than to</b>
13	<b>13 usually are, he made a big public point, when I</b>	<b>12 fix that garment.</b>
14	<b>14 reentered the classroom, to comment on how long I</b>	13 Q Did there come a time when they gave you
15	<b>15 had been gone in a way that I felt was</b>	14 access to another restroom that was closer besides
16	<b>16 humiliating.</b>	15 the nurse's office in the D-Hall?
17	Q Do you remember who the teacher was?	16 A So at one point, it was my understanding
18	<b>A I do not.</b>	17 that it was communicated to me that I was allowed
19	Q But it was one of your teachers the first	18 to access the male faculty restrooms on all halls;
20	semester of 10th grade?	19 however, I was then told that no, in fact, I had
21	<b>A Yes.</b>	20 only been given permission to use the ones on
22	Q Other than that incident where the teacher	21 D-Hall, but I think that -- I think I genuinely
		22 was told that I had access to all staff bathrooms

77 1 initially, and then the D-Hall thing was raised  
2 after the fact.

3 Q Tell me, as best you can recall, who told  
4 you you could use any male faculty restroom?

5 A I really – it would have been one of the  
6 administrators or not – one of – either  
7 counselors or the principal, someone in that  
8 position, those positions, I don't recall exactly  
9 who.

10 Q But your recollection is that someone told  
11 you you could use any of the male faculty  
12 restrooms?

13 A So my recollection was that yes, that I  
14 was able – I was permitted to use the male  
15 faculty restrooms; however, I was later called  
16 into either the guidance office or the office, I  
17 can't recall who I had the conversation with, who  
18 said no, in fact, you can only use the D-Hall.

19 Q Who was it who you had the conversation  
20 with that restricted it to the D-Hall restroom?

21 A I really don't recall.

22 Q Your recollection is it was either someone

79 1 someone actually said something to you, any  
2 student said something to you about what are you  
3 doing in there in the nurse's office or what are  
4 you doing going in the male faculty restroom or  
5 any specific comment by a student about your  
6 restroom use during this time frame?

7 A I recall a few sort of snide comments,  
8 when I had a longer absence from class for the  
9 bathroom, you know, what took you so long, in a  
10 way that was, you know, probably implying high  
11 school bathroom humor; and other snide things like  
12 that are just things designed to point out that I  
13 was not allowed to use the other restrooms.

14 Q Okay. How were you able, if somebody says  
15 what took you so long, to know whether they're  
16 trying to tease you about what function it was  
17 that you were using versus which bathroom you were  
18 using or any other concern?

19 A Well, in part, because of the individual  
20 who would have said that, like these were  
21 typically the kids that would commonly harass me,  
22 and then, additionally, the tone of voice, but, of

78 1 in counseling or someone in the administration?  
2 A Yes. Either, for example, either like the  
3 principal or one of the guidance counselors.

4 Q So Miss Durr, Mr. Lord, Mr. Collins. Who  
5 were the other possibilities?

6 A I suppose Neblett would have been a  
7 possibility, but, of course, I don't recall who.

8 Q Did anyone ever say anything to you -- let  
9 me ask this question first. Did you ever use any  
10 of the male faculty restrooms?

11 A I -- I don't -- I don't recall if I did or  
12 did not, but I can say with certainty that, if I  
13 did once or twice, it was not something I did with  
14 frequency.

15 Q Why not?

16 A I was embarrassed. It was, in fact -- for  
17 another student to see me go into a faculty  
18 bathroom was more, obviously, I suppose uncommon  
19 than should a student watch me walk into the  
20 nurse's office, so it caused me more anxiety, in  
21 fact.

22 Q On any occasion can you recount where

80 1 course, additionally, the conversation they would  
2 have thereafter about, you know, vulgar toilet  
3 things so --

4 Q All right. So can you give me any  
5 specifics where this happened, like what class you  
6 were in, who the student was, what was said, any  
7 details?

8 A I -- I mean I don't -- I don't recall what  
9 classroom I was in when this happened, it could  
10 have been any one of many.

11 I -- one of the -- one of the most  
12 persistent harassers was a student named Austin, I  
13 do not recall his last name. I do recall that  
14 this was an event -- one of these sorts of  
15 examples of ridicule was something he was involved  
16 in, and then -- pardon me. You also asked  
17 specific examples of dialogue.

18 Q Yes.

19 A For example, you know, that must have been  
20 a big crap, you know, embarrassing things like  
21 that, because it took me a while.

22 Q But you would agree, that must have been a

	81		83
1 big crap doesn't have anything to do with 2 whether -- which restroom you used or anything 3 else, it is just talking about what you did while 4 you were in there.		1 talking about this time period? About -- 2 MR. CORRIGAN: I am talking about ever. 3 MR. BLOCK: You are? 4 MR. CORRIGAN: Yes.	
5 MR. BLOCK: Objection.		5 <b>A I don't recall.</b>	
6 <b>A I wouldn't agree with that. That was just</b> <b>7 one example of the dialogue that would follow.</b>		6 Q Had you ever been to Miss Durr about 7 bullying?	
8 <b>Others would be laughter about there is a bathroom</b> <b>9 right there, that kind of thing, so that's why --</b> <b>10 the perception I have is that these were all</b> <b>11 related to a knowledge of where I was using the</b> <b>12 bathroom, and it was just various targeted</b> <b>13 insults, whenever they felt like teasing me about</b> <b>14 at that time; but there were examples where the</b> <b>15 conversation erred less towards bathroom humor and</b> <b>16 more towards why don't you go to that one, that</b> <b>17 kind of thing.</b>		8 <b>A I don't recall.</b>	
18 Q Can you tell me who said why don't you go 19 to that one?		9 Q Had you ever been to Matt Lord about 10 bullying?	
20 <b>A I really couldn't.</b>		11 <b>A I don't recall.</b>	
21 Q Was that Austin or was it someone else?		12 Q Can you tell me anybody at the high school 13 that you went to about bullying?	
22 <b>A I don't recall, but it was -- the -- the</b>		14 <b>A The only clear memory that I have of</b> <b>15 reporting an incident would have been the one</b> <b>16 where the student, you know, referred to me</b> <b>17 incorrectly name wise.</b>	
	82	18 Q The one we talked about with the teacher?	
1 <b>primary harassers were students like Austin and</b> <b>2 that would frequently hang around with Austin or</b> <b>3 other students in similar circles to Austin. So I</b> <b>4 mean it was -- it was, you know, a few different</b> <b>5 clusters of people that all sort of ran in the</b> <b>6 same circles.</b>		19 <b>A Yes, sir.</b>	
7 Q Did you report Austin's remarks or anybody 8 else's remarks to your teacher or anyone else?		20 Q And she addressed it?	
9 <b>A I don't recall what I did and did not</b> <b>10 report. At that time I sort of had a</b> <b>11 significantly diminished faith in the protections</b> <b>12 that I would have, and so I felt a bit of a sense</b> <b>13 that it was futile to report this harassment</b> <b>14 because it was so consistent and I had been going</b> <b>15 to administrators for my whole entire school</b> <b>16 career about incredible bullying, and nothing had</b> <b>17 ever been accomplished, so I felt like at that</b> <b>18 point it was just not something that I was --</b>		21 <b>A Yes. I -- I do not believe that that is</b> <b>22 the only incident I ever reported; however, I</b>	
19 Q Let me ask you this. Specifically, had 20 you ever been to Principal Collins about bullying?			
21 <b>A I don't recall.</b>			
22 MR. BLOCK: Objection. Are we still			
	84		
1 <b>don't have a recollection of any other specific</b> <b>2 event of reporting things like that.</b>			
3 Q Okay. At some point in time you went to 4 Miss Durr and advised her that you wanted to use 5 the boys' room, is that right, is that how that 6 started?			
7 <b>A I don't recall who I approached, but at</b> <b>8 some point in time I did approach a member of</b> <b>9 staff at the high school.</b>			
10 Q Tell me what you recall about how -- was 11 it you alone, was it with your mom, was it at 12 school, was there an email sent, or how did it go?			
13 <b>A I don't recall who was with me, and I do</b> <b>14 not recall who I spoke with, although I believe at</b> <b>15 some point Principal Collins or Nate Collins was</b> <b>16 part of the conversation.</b>			
17 <b>In fact, what I do recall of my</b> <b>18 conversation with him was I -- actually, so I</b> <b>19 suppose I do recall, he was part of this, at least</b> <b>20 at some point. I remember expressing to him that</b> <b>21 it was stigmatizing and embarrassing and also</b> <b>22 detrimental to my instructional time, to have to</b>			

	85	
1	travel so far to the nurse's restroom, when my 2 classes on -- in that year were all as far from 3 the nurse's office on campus as they could have 4 been, and so it was even farther a journey, and I 5 expressed that it was just -- it was not ideal for 6 my needs, and I asked him if I could use the boys' 7 bathroom.	1 Q And you may or may not have gotten it. It 2 may have been something that was generated 3 internally within the school. I just didn't know 4 if you had any recollection of a memo.
8	At that time he did not commit either way, 9 I think he told me that he would have to check 10 with others, and then we spoke again, and he said 11 essentially to go ahead.	5 A Yes, I do remember that conversation. 6 Q Okay. And tell me what you recall. 7 A Essentially what you said, that it is --
12	Q Did you -- The word stigmatizing, when is 13 the first time you ever used that word or ever 14 heard that word?	8 starting now I can use the boys' restroom. Should 9 there be any issues, let us know right away, that 10 kind of thing.
15	A I was a verbose child, so I could have 16 been 8. I have no idea.	11 Q Okay. October 20th was a Monday. Do you 12 recall whether the first time you used a boys' 13 restroom, when that was that day?
17	Q With respect to this, do you remember when 18 you first used the term stigmatizing, with using a 19 restroom being stigmatizing?	14 A I would have no idea. 15 Q Don't remember?
20	A No, sir, I don't.	16 A No idea. 17 Q Do you remember which boys' restroom you 18 started using?
21	Q Do you think it was your word?	19 A No. It was a nonevent for me. 20 Q So when you went in the boys' restroom, I 21 assume you went in a stall every time that you 22 used the restroom?
22	A Yes, of course.	
	86	
1	Q Okay. So is it your recollection you said 2 that to Mr. Collins when you spoke with him, that 3 specific word stigmatizing?	1 A Yes. 2 Q But as we are sitting here today, you 3 can't tell me which one out of the many, if I have 4 got the math, and said here is all the restrooms, 5 you wouldn't be able to tell me which one --
4	A I conveyed that I felt, you know, stigma. 5 I do not know necessarily that I said the word 6 stigmatizing.	6 A No. 7 Q -- on any given occasion?
7	Q Right.	8 A No. I had been using boys' bathrooms in 9 every public place in Gloucester and outside of 10 Gloucester for probably more than a year at that 11 point, so this was very natural to me and it was 12 not something I felt necessary to commit to 13 memory.
8	A However, I expressed that I felt that it 9 identified me as different, as a target, it was, 10 you know, not right, you know, things which fall 11 under stigma; but I also cannot say with certainty 12 that I did not use the word stigmatizing.	14 Q Okay. Did you -- how often were you using 15 the restroom?
13	Q Sure. Do you remember having a meeting 14 with Mr. Collins and Miss Durr, at which they 15 prepared a little memo? Have you seen the memo, 16 on October 14th, that says you will start on 17 October 20th and you will report if anything goes 18 wrong, and, if there is an incident, that you will 19 not increase it, you will come let us know 20 something happened. Does any of that ring a bell?	16 A I suppose with the same frequency that I 17 was going to the nurse's room beforehand. 18 Q So two times a day to use the restroom and 19 then a few other times to adjust your garment?
21	A I recall the conversation, I do not recall 22 getting any memo or anything about that.	20 A Yes, I would say 2 to 4 times a day would 21 be a fair sort of ball park. 22 Q At any time on any of those occasions in

	89		91
1	the first week, which would be the 20th, 21st,	1	sometime in October of 2014?
2	22nd, 23rd, did you have any conversation with any	2	<b>A 2014?</b>
3	student coming in, going out, while in the	3	Q I have a record I can show you, but the
4	bathroom about what are you doing, what are you	4	person's name is blacked out, so I don't know who
5	doing in here, anything?	5	it was.
6	<b>A No. I had a single conversation with a</b>	6	<b>A Okay.</b>
7	<b>student during that time in the D-Hall bathroom in</b>	7	Q And the allegation is something along the
8	<b>which he asked me if I liked his socks, and that</b>	8	lines of the student was saying something like,
9	<b>was the only encounter that I have ever had in a</b>	9	you know, there is a girl going in the boys' room
10	<b>restroom at Gloucester High.</b>	10	10 and you said that's me and then it elevated
11	Q Beginning at the first of your sophomore	11	11 into -- does that ring a bell?
12	12 year, did you ever go in the girls' restroom?	12	<b>A It does. The conversation that I had</b>
13	<b>A Absolutely not.</b>	13	<b>overheard was actually that the child was speaking</b>
14	Q When did you last use the girls' restroom	14	<b>in explicit and highly, highly sexually</b>
15	15 at Gloucester High School?	15	<b>inappropriate detail about my genitals, talking</b>
16	<b>A I began avoiding it before the end of</b>	16	<b>about what I had, what -- you know, how disgusting</b>
17	<b>freshman year of high school, so perhaps sometime</b>	17	<b>I was, how freaky I was, other explicit, you know,</b>
18	<b>towards the middle or end of that year.</b>	18	<b>assumptions or observations or whatever about, you</b>
19	Q Of 9th grade?	19	<b>know, possible genital situations and that kind of</b>
20	<b>A Yes, sir.</b>	20	<b>20 thing.</b>
21	Q So the -- that was the second part of that	21	<b>At that time, I had walked over and I said</b>
22	22 year, in the spring semester, you went into the	22	<b>you really should stop saying things like this,</b>
	90		92
1	homebound status, so it was before that is the	1	<b>because he had identified me as my brother's</b>
2	last time you think you used the girls' restroom?	2	<b>sister, and he -- I was in that class with him,</b>
3	<b>A Yes. I began avoiding it before that</b>	3	<b>3 and he was aware that I was that person, and so I</b>
4	<b>point, which -- in -- contributed to the overall,</b>	4	<b>4 was like this is disgusting, you need to stop.</b>
5	<b>you know, complication of remaining at school.</b>	5	<b>At that point actually he stood up, who do</b>
6	Q Because you didn't want to use the girls'	6	<b>you think you are talking to. You know, my</b>
7	restroom?	7	<b>position initially was to kind of ask him to like</b>
8	<b>A Right. However, it was not something I</b>	8	<b>8 please stop, and then his position was to yell and</b>
9	<b>could vocalize to others at that time because I</b>	9	<b>9 escalate and continue to insult and berate me,</b>
10	<b>10 was not out, out being that I had not announced</b>	10	<b>10 which resulted in disciplinary action for both of</b>
11	<b>11 myself as a boy to others yet.</b>	11	<b>11 us.</b>
12	Q And since then, you have not used the	12	Q When was that, do you remember?
13	13 girls' restroom at Gloucester High School?	13	<b>A No, not other than what you have, what you</b>
14	<b>A No.</b>	14	<b>14 have identified.</b>
15	Q Not at all in the 11th grade, not at all	15	MR. CORRIGAN: Okay. I will go ahead and
16	16 in the 12th grade?	16	get this marked.
17	<b>A No.</b>	17	(G. Grimm Deposition Exhibit 1 was marked
18	Q Correct?	18	for identification and is attached to the
19	<b>A Correct.</b>	19	transcript.)
20	Q Do you recall an incident in your art	20	Q Okay. Take a minute and read that. That
21	21 class, Miss Bergh, where you and the student got	21	21 has been marked as Exhibit 1. I am asking you, as
22	22 into an argument, it would have been in that	22	22 best you can recall, whether this is the incident

	93		95
1	we were just discussing or describes the incident	1	Q Okay. And what is his name?
2	we were just discussing.	2	<b>A I believe he was a grade beneath me and so</b>
3	<b>A So reading this did remind me of a detail.</b>	3	<b>I don't recall.</b>
4	<b>The statement that Miss Bergh had said to me at</b>	4	Q Okay. You -- Tell me about your Phys Ed
5	<b>the time, where she was recommending disciplinary</b>	5	decision. What did you decide to do with Phys Ed
6	<b>action, was that she was positive that it was</b>	6	class?
7	<b>going to be a physical fight. I absolutely</b>	7	<b>A What grade?</b>
8	<b>dispute that, I had had no intentions of</b>	8	Q 10th grade.
9	<b>physically fighting with anybody. I -- my only</b>	9	<b>A 10th grade. I believe that was done</b>
10	<b>position was to say like you -- like stop saying</b>	10	<b>online.</b>
11	<b>these things, and his position was to escalate.</b>	11	Q Why was that?
12	<b>And also importantly, we were on other</b>	12	<b>A Because I was, of course, never going to</b>
13	<b>sides of the table, and neither of us ever moved</b>	13	<b>be allowed to use the correct facilities, being</b>
14	<b>to get closer to each other as well, so I contest</b>	14	<b>the male facilities, and the humiliation of having</b>
15	<b>that there was a possibility of physical fight.</b>	15	<b>15 to use an alternative option or perhaps even being</b>
16	<b>But I believe that was the grounds under</b>	16	<b>16 forced into the girls' locker room was something I</b>
17	<b>which she recommended disciplinary action.</b>	17	<b>17 was unwilling to take on.</b>
18	Q Okay. Do you remember what the	18	<b>In addition, I was wearing a garment, like</b>
19	disciplinary action was?	19	<b>I mentioned at the time, to compress my breasts,</b>
20	<b>A I -- I don't -- I don't recall if I was</b>	20	<b>20 which it was utterly medically necessary and not</b>
21	<b>suspended in or out of school or for how many days</b>	21	<b>21 something that was optional but that restricted my</b>
22	<b>22 or if it was just detention or something, I really</b>	22	<b>physical abilities pretty significantly because,</b>
	94		96
1	<b>1 don't recall, it was something to that effect.</b>	1	<b>1 of course, the function is that it presses the</b>
2	Q Okay.	2	<b>2 tissue down against your lungs, and so that does</b>
3	<b>3 A I hadn't -- yes.</b>	3	<b>3 restrict some movement, and then, on top of that,</b>
4	Q Had this individual, who you got in the	4	<b>4 that garment did not pair very well with the gym</b>
5	argument with, had he seen you in the restroom or	5	<b>5 uniform because the garment was slick and so were</b>
6	had you crossed paths in the restroom?	6	<b>6 the pants and the shirt, and so with the garment</b>
7	<b>7 A Not that I was ever aware of. Perhaps in</b>	7	<b>7 on, the pants would not stay up and that kind of</b>
8	<b>8 context for this claim it is important in that</b>	8	<b>8 thing.</b>
9	<b>9 during the period of time -- in fact -- in fact,</b>	9	Q Where did the garment -- describe the
10	<b>10 most of these rumors began circulating even after</b>	10	garment for me.
11	<b>11 I was effectively banned from the boys' bathroom,</b>	11	<b>11 A tank top but that is of a somewhat</b>
12	<b>12 but it became very common for people to create</b>	12	<b>12 stretchy material but that is nonelastic enough</b>
13	<b>13 stories of Gavin bathroom encounters ranging from</b>	13	<b>13 that it forces tissue to compress.</b>
14	<b>14 fairly bizarre to, you know, just -- I mean, of</b>	14	Q So did you request to do your PE class
15	<b>15 course, they were all fully fabricated, but</b>	15	online?
16	<b>16 perhaps that was fueled by a rumor of that nature.</b>	16	<b>A I did.</b>
17	<b>17 I don't know.</b>	17	Q Okay. Was there ever any discussion about
18	Q Okay. My question is did you ever cross	18	doing it any other way?
19	paths with this individual in the restroom before	19	<b>A What I recall of the conversation was that</b>
20	20 or on October 28, 2014, to your best recollection?	20	<b>I don't recall who I approached truthfully, but I</b>
21	<b>21 A Well, absolutely -- Well, to my</b>	21	<b>21 approached someone and said this is just not going</b>
22	<b>22 recollection, I do not recall seeing him.</b>	22	<b>22 to be possible for me, what are my options, and</b>

97  
1 **they at that time had offered the virtual program.**  
2 Q Was it the PE teacher or was it your  
3 guidance people or was it someone else, as best  
4 you can recall?

5 **A I don't recall.**  
6 Q So there was no time in 10th grade you  
7 actually attended a physical PE class at school;  
8 is that correct?

9 **A Not that I can recall.**  
10 Q Okay. What do you personally know about  
11 any complaints that were received by teachers,  
12 administrators or the Superintendent or the School  
13 Board with respect to you using the boys'  
14 restroom?

15 **A Well, that question actually prompted me**  
16 **of a detail that I had previously failed to**  
17 **mention. Do you mind if I --**

18 Q Sure.

19 **A It is somewhat connected. When you asked**  
20 **about, you know, if I received any adult ridicule**  
21 **or was it peer ridicule and that sort of thing, at**  
22 **both of the School Board meetings, which I**

98  
1 attended, which they discussed my, you know,  
2 restroom usage, the adults in the community  
3 present hurled insults, called me a freak, a dog,  
4 all sorts of hateful horrible language, and also  
5 many of them went to great lengths to refer to me  
6 with female pronouns or honorifics such as young  
7 lady, little miss, ma'am, Mrs., even going so far  
8 as to, you know, reframe a sentence to where it  
9 grammatically was not correct just to say ma'am  
10 another extra time, so that was another example of  
11 verbal abuse that I received.

12 Then I apologize. Could you restate the  
13 question?

14 Q The question I asked you was are you  
15 personally aware, personally, of any complaints --  
16 I want to exclude anything that was said at those  
17 meetings, --

18 **A Right.**  
19 Q -- the public meetings, that were received  
20 or concerns that were expressed to teachers or  
21 counseling or administration at the school or the  
22 Superintendent or the School Board.

99  
1 MR. BLOCK: Objection. Are you specifying  
2 complaints from students, complaints from parents  
3 or both?

4 MR. CORRIGAN: Either one of those.  
5 Q Any personal knowledge you have of any of  
6 that? Not what you have heard, --

7 **A Right.**  
8 Q -- not what the rumors were, but you know  
9 from someone telling you or you being present,  
10 whatever, where someone made a complaint.

11 **A I do not have any direct knowledge of**  
12 **anyone making a complaint. I do have a**  
13 **recollection of -- I don't recall if it was**  
14 **Collins or one of the guidance counselors or**  
15 **whomever.**

16 **I recall at some point being told**  
17 **something to the effect of we have had a**  
18 **complaint, which time line wise, I would place**  
19 **probably towards the end of the 7-week period, the**  
20 **7-week period being, of course, when I was allowed**  
21 **to use the boys' bathroom.**

22 Q So the first day you were allowed,

100  
1 according to all the information we have, is  
2 October 20th, and you think at some point after  
3 October 20th, Mr. Collins or someone else said we  
4 have had a complaint?

5 **A I do recall being told by some employee of**  
6 **the school that they were -- their knowledge was**  
7 **that there was a complaint.**

8 **I was never given any additional details,**  
9 **how many complaints that was, from who it was or**  
10 **anything like that; and beyond that, I have no**  
11 **knowledge of anything.**

12 Q I mean there is no reason why you would,  
13 as a student, know --

14 **A Right.**

15 Q -- who complained of anything like that.

16 All right. So you start using the  
17 bathroom on October 20th, and at some point do you  
18 become aware that there is going to be a School  
19 Board conversation about the use of a boys'  
20 restroom by a -- what had been previously  
21 considered to be a female student?

22 **A I was made aware less than 24 hours before**

	101		103
1 the first School Board meeting because there was a 2 Facebook post that went around urging people to 3 show up and oppose me essentially. 4 My mother -- a friend of my mother's had 5 forwarded that post to her, and she -- well, and 6 so it was decided at that point that, of course, 7 we were going to go and -- so that was when I was 8 made aware, less than 24 hours before it was going 9 to happen, the first meeting. 10 Q So the first meeting, I think by all 11 accounts, was November 11, 2014. So less than 24 12 hours before the meeting on November 11, 2014, is 13 when you first became aware that the issue of the 14 bathroom/restroom use by a previously female 15 student who identified male was going to be 16 discussed? 17 A By a female -- or by a student assigned 18 female at birth, yes. 19 Q Okay. And how is it you became aware? I 20 know you just told me. Who is this friend of your 21 mother's? 22 A I would not know.		1 the without someone telling my side of the story and 2 there would be no one to do that but us. 3 Q So you and your mother decided that the 4 two of you would show up at the School Board 5 meeting to discuss this restroom use issue? 6 A Yes, and I independently decided that I 7 specifically wanted to make a comment. 8 Q What was your thinking on deciding that 9 you wanted to make a comment? 10 A Well, I had already been identified as the 11 student in question, people that had spoken before 12 me had already turned to look directly at me, and, 13 you know, it was not a secret, it was not as if we 14 could pretend like we didn't know who the student 15 was, and so my thought process was that people 16 already have identified me as the transgender 17 child in question, and a decision about my future 18 should not be made without myself at least 19 expressing my input. 20 Q Before you went to the School Board 21 meeting, what information did you have that anyone 22 knew who you were, I mean specifically that this	
1 Q What Facebook post was it, do you remember 2 whose Facebook post it was or what it said? 3 A I do not recall who made the post or 4 anything to that effect. I just remember that it 5 was a post essentially saying, you know, there is 6 a girl in the boys' room and everyone show up and, 7 you know, make that -- you know, make that stop. 8 And, of course, there were many, many, 9 many vile comments underneath that post, none of 10 which I can however remember at this time. 11 Q And who showed you the post? 12 A My mother. 13 Q Tell me about any conversation you had 14 with your mother at that time about the post. 15 A My recollection is that we were frustrated 16 that we were not informed, in fact, we felt that 17 that was -- that was just wrong, that we had not 18 been informed. 19 We also basically spoke about next steps, 20 what do we do, and both sort of arrived at the 21 conclusion that no one would be there to support 22 me and they would not have the conversation	102	1 was about you. 2 A Well, because the community had been 3 talking. I mean my peers recognized that, 4 malicious and friendly, all recognized that I was 5 the trans kid. You know, at that point gossip, 6 rumors had gotten around, I don't -- I recall 7 getting the sense that there were some comments. 8 I don't recall if they were on that thread; 9 however, I do remember me reading some kind of 10 social media comment that had identified my -- my 11 brother's -- it being my brother's sister, you 12 know, was the language that was used. 13 Q So you saw that somewhere? 14 A Yes, that was -- that was something I saw 15 at some point, where someone in the comment thread 16 had identified like there was -- and, to be clear, 17 currently, I am not necessarily speaking about the 18 comment thread underneath that post that went 19 around, there were other, you know, disparaging 20 social media posts, which were nasty, of other 21 people, that they didn't necessarily get shared as 22 widely, but in comments like those, I read things	104

	105	107
1 like, you know, that is – that is David's sister		1 proposed policy?
2 or I know that chick or, you know, that kind of		2 A I -- I don't recall exactly. I do
3 thing, so it was understood fairly generally that		3 remember hearing at -- I believe at the first
4 I was known to be the child.		4 School Board meeting, where one of the members of
5 Q Are you aware of any member of the School		5 the School Board read the proposed policy. I
6 Board who identified you before this meeting, in		6 don't recall if I had seen it before that time.
7 other words, said this is who we are talking		7 Q So your best recollection is the first
8 about, this person?		8 time you heard the policy was out loud, it wasn't
9 A During the meeting?		9 in writing?
10 Q No. Before the meeting.		10 A To my best recollection, yes.
11 A I didn't have any conversations with any		11 Q Again, that's the best we can do.
12 of them before the meeting.		12 A Right.
13 Q I understand. My question, though, is are		13 Q At the first meeting, you spoke; correct?
14 you aware of any -- of any information that any		14 A Yes, sir.
15 School Board member identified you before the		15 Q Do you remember how many people spoke
16 meeting as the person about whom this discussion		16 before you?
17 was occurring?		17 A I don't.
18 A No. However, one of the members of the		18 Q Was it a large number, small number --
19 School Board, Kevin Smith, was previously a close		19 A It --
20 family friend, who had spoken to my mother, and I		20 Q -- before you got up and spoke?
21 don't know about what, but ahead of the School		21 A I can remember feeling like it was ages
22 Board meeting, and he assured her at that time		22 and ages, but that was -- that could be affected
	106	108
1 that he would recuse himself from the vote because		1 by how anxious I was, of course, so I really
2 it was improper for him to make a distinction		2 wouldn't be able to give a good metric.
3 because he knew us.		3 Q Did you speak first or did your mom speak
4 He then did not do that and, in fact,		4 first?
5 voted against us instead. He voted, to be clear,		5 A I don't recall.
6 vowed to ban me from the boys' restroom instead.		6 Q Had you prepared your remarks?
7 Q He voted in favor of the resolution?		7 A Yes, I had; however, I went primarily off
8 A Of the proposal that Miss Hook had brought		8 script. I don't -- and I have not ever retained a
9 forward, yes. So there was at least one School		9 copy of what I was prepared to say.
10 Board member who was aware of the identity of the		10 Q So you don't have your original notes?
11 child.		11 A I do not.
12 Q You don't have any information that		12 Q When you decided to attend this first
13 Mr. Smith told anyone else that you were the		13 School Board meeting, which was on November 11 of
14 child?		14 2014, who else did you discuss that with besides
15 A I don't have any information that that		15 your mom?
16 happened, no. But I -- I also have nothing to,		16 A I don't recall.
17 you know, present that ensures that it was not		17 Q Like you don't -- is it you don't recall
18 something that happened as well.		18 because it may have been a bunch of people, you
19 Q You just don't know?		19 just don't know who they are, or you don't think
20 A I don't know.		20 you talked to anybody else?
21 (Discussion held off the record.)		21 A I don't believe I spoke to anybody else,
22 Q When did you first see the policy, the		22 but I do not recall that with certainty.

	109		111
1	Q Sure. When did you first speak to any	1	you started any hormone therapy at that time?
2	person who was an attorney or who was looking at	2	<b>A I do not -- I do not recall. I know that</b>
3	this from kind of a legal standpoint?	3	<b>the -- that me and my family were actively working</b>
4	<b>A I do not recall if that happened before</b>	4	<b>on, you know, the goal of getting that treatment</b>
5	<b>the second meeting or after the second meeting, I</b>	5	<b>from -- essentially from the point at which the</b>
6	<b>can't place that.</b>	6	<b>rest of my family became aware of who I was, and</b>
7	Q Do you remember how it occurred, like	7	<b>7 from that point on we looked at next steps being</b>
8	whether it was a phone call or in person?	8	<b>8 hormone replacement therapy and that sort of</b>
9	<b>A I cannot clearly recall how I was</b>	9	<b>9 thing, so --</b>
10	<b>10 initially connected with the ACLU.</b>	10	Q Where did you receive hormone therapy?
11	Q Was it the ACLU the first people you	11	Who was guiding it, I guess is what I am asking.
12	talked with?	12	<b>A A doctor in Richmond at the VCU -- on the</b>
13	<b>A Yes.</b>	13	<b>13 VCU campus. I do not -- she was a pediatric</b>
14	Q Tell me about your recollection of that	14	<b>14 endocrinologist, I do not recall her name, but</b>
15	first meeting. We've kind of talked about it. So	15	<b>15 that she was a woman.</b>
16	16 was it a full house in the meeting room?	16	Q Have you gone back and watched the video
17	<b>A The individual comments, I referenced</b>	17	17 of either of the two School Board meetings?
18	<b>18 being called a freak, someone likening me to a dog</b>	18	<b>A Not -- not deliberately. The footage has</b>
19	<b>19 peeing on a hydrant, those kind of things --</b>	19	<b>19 been used in other videos that I have participated</b>
20	THE COURT REPORTER: I am sorry. A dog?	20	<b>20 in, for example, like a voting PSA, where they</b>
21	I couldn't hear you.	21	<b>21 will use a 3-second clip or whatever; however, I</b>
22	MR. CORRIGAN: Peeing on a hydrant.	22	<b>22 have not watched those clips from start to finish</b>
	110		112
1	<b>A A dog urinating on a hydrant.</b>	1	<b>1 at any point.</b>
2	THE COURT REPORTER: Thank you.	2	Q Do you have any recollection of how many
3	<b>A Comments like that, I do not recall if</b>	3	3 people spoke at either occasion?
4	<b>4 they were in the first or second meeting.</b>	4	<b>A No.</b>
5	Q I think it was the second, but I am just	5	Q In your lawsuit, on paragraph 53, it says
6	adding, your recollection is what matters.	6	the policy does not define biological gender and
7	<b>7 A Right. However, in the first meeting,</b>	7	7 the term has no common or accepted meaning. There
8	<b>8 what I do recall is that there were fewer people</b>	8	8 are many biological components of sex, including
9	<b>9 than in the second meeting, but that there were</b>	9	9 chromosomal, anatomical, hormonal and reproductive
10	<b>10 still -- it still seemed fairly full.</b>	10	10 elements, some of which could be ambiguous or in
11	Q And do you remember where -- did other	11	11 conflict within an individual, either because that
12	12 students speak at the first meeting, or, again, do	12	12 individual has intersex traits or because that
13	13 they run together?	13	13 individual has undergone medical care for gender
14	<b>14 A I -- I really -- they -- to some extent,</b>	14	14 dysphoria.
15	<b>15 they do run together. I do not recall if any</b>	15	That's what the paragraph says. So I have
16	<b>16 student spoke at the first meeting.</b>	16	some questions that I want to ask you, just to
17	Q Do you remember what happened after the	17	make sure I am clear and that the record is clear
18	first or the result at the first meeting, what the	18	on this.
19	19 School Board did?	19	Do you have intersex traits?
20	<b>A They postponed the decision to rule for</b>	20	<b>A I have never been diagnosed as intersex.</b>
21	<b>21 the next meeting, following.</b>	21	Q The terms that are used here, chromosomal,
22	Q At this time, on November 11 of 2014, had	22	anatomical, hormonal and reproductive elements,

	113		115
1	what is your understanding of your chromosomal	1	<b>A Okay.</b>
2	elements?	2	Q That's what I am trying to understand.
3	<b>A I -- well, I was assigned female at birth,</b>	3	<b>A And my apologies, I hate to ask you to</b>
4	<b>so I would assume that there are two X</b>	4	<b>restate this, but just because there are some</b>
5	<b>chromosomes; however, differences in that are very</b>	5	<b>dialogue and my train of thought has been</b>
6	<b>common, and often you go your whole life without</b>	6	<b>disrupted, but, please, I'm sorry --</b>
7	<b>knowing them, so, to my knowledge, XX; however, I</b>	7	Q I don't mind at all.
8	<b>don't know that that's ever been formally tested.</b>	8	<b>A Thank you, sir.</b>
9	Q How about anatomical elements. What is	9	Q Because this is not a normal type of
10	your understanding of your anatomical elements?	10	question that gets asked in a deposition, I can
11	<b>A With respect to what, sir?</b>	11	11 tell you.
12	Q With respect to the many biological	12	<b>A Right.</b>
13	components of sex.	13	(Recess from 12:10 p.m. to 12:15 p.m.)
14	<b>A Do you mind rephrasing the question?</b>	14	Q All right. So the question has to do with
15	Q Again, the allegation is there are many	15	15 your understanding of whether -- The term
16	biological components of sex including	16	16 biological gender is what is in the policy, of
17	chromosomal, anatomical, hormonal and reproductive	17	17 course; and the allegation is there are many
18	elements, some of which could be ambiguous or in	18	18 biological components of sex including, I asked
19	conflict within an individual, either because that	19	19 you about chromosomal, and you have answered as
20	individual has intersex traits or because that	20	20 best you understand, which is all I am asking,
21	individual has undergone medical care for gender	21	21 this is not you kind of speaking as a lawyer, you
22	dysphoria.	22	22 are not speaking as a doctor, you are speaking as
	114		116
1	So the question I am asking is, with	1	Gavin.
2	respect to the anatomical elements, your	2	So the question is, with respect to your
3	particular anatomical elements, is there any	3	anatomical elements, some of which could be
4	indication, I guess, reading this paragraph,	4	ambiguous or in conflict, what is your
5	intersex traits, which I think we've said there	5	understanding of your anatomical elements?
6	isn't, and then other ambiguities of any sorts?	6	<b>A My understanding of my anatomical elements</b>
7	MR. BLOCK: I am going to object, before	7	<b>are that -- well, first and foremost, the --</b>
8	you answer, which is that this is a legal	8	<b>growing up, even when I still had long hair and</b>
9	allegation in the Complaint, not a prior statement	9	<b>would wear girls' clothing, I would be asked</b>
10	by Gavin, so, you know, you can -- he can answer	10	<b>sometimes by other students, I remember one time</b>
11	11 to the extent he is saying his understanding of	11	<b>on the elementary school bus, some kid asked me if</b>
12	12 those terms but --	12	<b>I was a boy or a girl, and at that time I was even</b>
13	MR. CORRIGAN: Absolutely.	13	<b>13 presenting as a girl, and that has persisted</b>
14	MR. BLOCK: But he is not the author.	14	<b>14 throughout my life.</b>
15	MR. CORRIGAN: That's all I am asking.	15	<b>As soon as I cut my hair, I was gender</b>
16	<b>A But pardon me for still being confused,</b>	16	<b>16 male pretty much in every facet of public life,</b>
17	<b>but are you asking me what my understanding of</b>	17	<b>17 and so at that point I looked pretty much like a</b>
18	<b>that would be?</b>	18	<b>18 boy, even before hormone replacement therapy.</b>
19	Q Yes. With respect to -- I am breaking it	19	<b>So -- so my understanding of that would be</b>
20	down into chromosomal, anatomical, hormonal and	20	<b>20 that I suppose I did look masculine enough that,</b>
21	reproductive because that's how it is broken down	21	<b>21 for example, when I did go into women's restrooms,</b>
22	22 in the allegation.	22	<b>22 I was chased out or scrutinized or yelled, you</b>

	117		119
1 know, you are not supposed to be in here, that 2 happened a few times in public, where women would 3 say that I was in the wrong place and I needed to 4 leave.		1 person assigned female at birth, that it delayed 2 treatment for hormone replacement because I was so 3 naturally high in testosterone, that they thought 4 there could be another issue.	
5 Q All right. How about specific -- your 6 specific -- I guess that goes over to reproductive 7 elements.		5 Q When they said they thought there could be 6 another issue, what was the other issue they 7 thought there could be?	
8 Same question. What are the -- your 9 reproductive elements.		8 A Perhaps a tumor on my pituitary gland and 9 increasing testosterone production or polycystic 10 ovarian syndrome, which would increase 11 testosterone production in some people. I was 12 tested and was cleared of everything.	
10 A If I may clarify, are you asking what 11 procedures I may or may not have had?		13 Q But you just naturally had higher levels 14 of testosterone than most females?	
12 Q Sure.		15 A Most people assigned female at birth, yes.	
13 A Okay. I do not have breasts, and I do not 14 have the ability to bear children because of 15 hormone replacement therapy, basically making that 16 not something that I can do.		16 Q All right. We got through that. All 17 right.	
17 Q Let's go back to on November 11, 2014 and 18 December 9, 2014, in terms of your reproductive 19 elements, what was the status then?		18 After the November 11 meeting, there is 19 a -- this is paragraph 57 of the Complaint -- it 20 talks about the press release and the plans to 21 designate single stall, unisex restrooms, to give 22 all students the option for even greater privacy.	
20 A In 2014 you said?	118		120
21 Q Yes, sir.		1 Do you remember becoming aware of that in 2 this time frame, that the School Board had 3 announced that they were going to be doing that?	
22 A That would have been that I had present		4 A What I was aware of in that situation -- I 5 heard the announcement by the School Board at that 6 time. My recollection is that they announced that 7 the restrooms were ready; however, I was aware of 8 their construction before that point because they 9 were, you know, being constructed while we were 10 going to school, and, in fact, those restrooms, 11 however, were as they were stated to be completed, 12 they were absolutely not completed or usable for I 13 think around a week after the statement was that 14 they were ready.	
1 breasts and was by -- I had yet to go through 2 hormone replacement therapy; however, I -- again, 3 I used a chest-binding garment every single 4 solitary time I stepped out of the house, so the 5 appearance to pretty much everyone was that I did 6 not have breasts.		15 Q Sure. In fairness, the press release 16 occurs after the November 11 meeting, that they're 17 going to do it, and then we have documents in the 18 case that show when they bid it out and somebody 19 took the job and then the job was done, and it 20 is -- it is December, possibly even later, when it 21 is actually completed.	
7 Q Okay. What about the actual reproductive 8 elements at that time?		22 A So I misunderstood --	
9 A Well, I had gone -- at that point I had 10 gone through female puberty and had done nothing 11 to disrupt the functions of those organs, so those 12 were fully functioning.			
13 Q Okay. Then the last one is hormonal is 14 the other term that is used in the description of 15 the many biological components of sex.			
16 What are the hormonal elements in December 17 or November 11th and December 9th of 2014?			
18 A Well, the hormonal elements would be that 19 I was yet to -- I was not yet receiving 20 testosterone injections and that my body was 21 producing estrogen; however, that my free 22 testosterone levels were elevated enough for a			

	121	1    Q My question is when did you become aware 2    they were going to do that.  3    A Yes, sir. I misunderstood. Press release 4    wise, I thought you were referring to what was 5    said at the meeting, I apologize.  6    When I became aware that those bathrooms 7    were being constructed was I suppose when they -- 8    when the construction began, which was before the 9    second School Board meeting, as far as I can 10   recall.  11   Q Okay. When you became aware that they 12   were, in fact, going to create single stall, 13   unisex restrooms for all students, not designated 14   Gavin's restroom, but the statement is for all 15   students, did you consider that as whether that 16   would meet your needs?  17   A Absolutely not.  18   Q And what did you consider? What did you 19   decide, who did you speak with about that?  20   A I -- I don't recall who I approached or if 21   I approached anyone from school at that point. I 22   believe somewhere in that time period was when I	123	1    me not allowed, not permitted to be with my peers 2    in common spaces. 3    In addition to that, the unisex restrooms 4    were all -- were mostly all clustered together and 5    not really very much closer than the nurse's 6    office from my D-Hall classes, and so the idea was 7    that they were more convenient, but, in fact, they 8    were not.  9    Q Okay. Who did you discuss this with in 10   this initial time frame?  11   A This initial time frame?  12   Q Did you discuss it with your mom, did you 13   discuss it with anyone else? I am talking about 14   the time frame around November 11, before the 15   work -- before it is done, the fact it is going to 16   be done and whether you are going to continue to 17   object.  18   If they're going to do this, it is 19   conceivable that someone in your position might 20   say it is not what I want but that's good enough, 21   but you reached the conclusion that -- it was not 22   what you wanted, so who were you talking to about
	122	1    was contacted -- we -- my family was in contact 2    with the ACLU, I -- my recollection at the time 3    was that was the final decision, and there was 4    nothing -- no one I could talk to and nothing I 5    could do to change that within the school.  6    Q What about the idea of just going along 7    with that and saying I can live with this 8    alternative, this single stall, unisex restrooms, 9    don't have to go to the girls' room, I can -- I 10   can go to these other restrooms.  11   A Part of -- so certainly, the language was 12   that they were for all students to use; however, I 13   was the only student mandated to use them, I was 14   the only student that had no option in the school 15   other than in a single stall restroom, and that 16   was part of the reason why I did not think that 17   was an appropriate thing to go along with.  18   The other reason being I am a boy and it 19   felt to me that it was humiliating and 20   stigmatizing for the school to or not the school 21   perhaps, the School Board to take the position 22   that there was something wrong with me that made	124	1    that at that time? 2    A I -- it wasn't something that I discussed 3    in terms with anybody in terms of, you know, hey, 4    Mom, what should I do. It was more like -- for 5    example, I approached my mother, and I said I 6    cannot be discriminated against in this way, I 7    cannot go for three years of my high school career 8    being shoved off into, you know, a converted broom 9    closet where only I am mandated to go.  10   That -- staring down three years of that 11   was so devastating to me, that there was not a 12   question of if or not I would stand for that, so 13   when I had conversations with, for example, with 14   my mother about next steps, I said this is wrong, 15   this hurts me, what can we do.  16   Those were the conversation that we had.  17   Q Did you ever talk to any other transgender 18   youths, not necessarily in Gloucester, but just 19   anywhere, about restrooms and about -- again, in 20   this time frame between November 11 and 21   December 9, accommodations, whether it -- how big 22   of a deal this is, how much trouble this is, that

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1	kind of thing?	1	<b>offended.</b>
2	<b>A I did not.</b>	2	They generally all -- generally speaking,
3	Q Okay. Were you talking to your counselor	3	they all came from a viewpoint that I was a girl,
4	or other -- not school counselor but the person	4	which is offensive to me, but then, for sure,
5	you were consulting with, Miss Griffin or someone	5	there was a minority of those who were
6	else about it?	6	specifically malicious, for example, like the
7	<b>A I -- I didn't -- I don't -- I didn't seek</b>	7	hydrant.
8	<b>counsel from them. I do not recall any individual</b>	8	Q At any point did you regret going forward
9	<b>conversations that I had with any of my mental</b>	9	for yourself, like appearing at the first meeting,
10	<b>healthcare providers.</b>	10	10 appearing at the second meeting?
11	Q It was clear to you from the start, this	11	<b>A Absolutely not.</b>
12	was not an option that you were interested in?	12	Q Why not?
13	<b>A Yes. If I may.</b>	13	<b>A I understood that, if I did not, that that</b>
14	Q Sure.	14	<b>conversation would be held without me and with no</b>
15	<b>A Part of that -- part of that</b>	15	<b>one to support me, and if it is a conversation</b>
16	<b>decision-making process was also that for that</b>	16	<b>about my future, I felt that I should be included.</b>
17	<b>7-week period, where I was respected as a boy and</b>	17	Q It says, in paragraph 60, you felt like
18	<b>able to use the boys' bathroom, I was -- I was</b>	18	you had been turned into a public spectacle.
19	<b>excited about the prospect of living out the rest</b>	19	If you had not appeared, would you have
20	<b>20 of my school year as just another student, without</b>	20	been a public spectacle?
21	<b>21 having to face down discrimination every time I</b>	21	<b>A I believe so.</b>
22	<b>22 had to use the bathroom, and that 7-week sort of</b>	22	Q How so?
	126		128
1	<b>grace period was when I was most comfortable in</b>	1	<b>A The community, like I stated previously,</b>
2	<b>that school, and so having experienced that and</b>	2	<b>the community was already aware of who it was that</b>
3	<b>then to have it taken away was part of the reason</b>	3	<b>was in question, the rumors had already spread.</b>
4	<b>why I was aware that it just was not -- it was</b>	4	<b>I was in the position where it was common</b>
5	<b>just not acceptable for what I thought was</b>	5	<b>knowledge, to my understanding, it was my</b>
6	<b>correct.</b>	6	<b>understanding that the community -- it was</b>
7	Q Again, moving through the Complaint,	7	<b>community common knowledge that I was the</b>
8	paragraph 59 talks about the second meeting at	8	<b>individual, and I was willing to assume additional</b>
9	which a speaker calls you a freak, a dog urinating	9	<b>risk just because I had already been -- I had</b>
10	10 on hydrants, that kind of thing.	10	<b>already been discriminated against, I had already</b>
11	Do you have a recollection of there being	11	<b>been humiliated, I had already been gossiped about</b>
12	approximately 28 to 30 people who spoke?	12	<b>widely, and I felt that not speaking on my behalf</b>
13	<b>A That's not a number I would contest, but I</b>	13	<b>13 would not have served me.</b>
14	<b>didn't count.</b>	14	Q Have you ever been in the single stall
15	Q Do you remember how many of them you felt	15	restrooms?
16	like were disrespectful towards you?	16	<b>A Not that I can recall.</b>
17	<b>A I felt that barring the party that was</b>	17	Q Okay. I mean have you seen the layout?
18	<b>with me and one individual, who seemed fairly</b>	18	<b>A Yes, I -- yes.</b>
19	<b>supportive, perhaps neutral, I feel like every</b>	19	Q How did you see the layout, if you didn't
20	<b>single -- every other person was absolutely in</b>	20	go in?
21	<b>opposition. Of those people, I mean the</b>	21	<b>A I mean I looked, the door was open and I</b>
22	<b>statements were all, you know, I felt personally</b>	22	<b>looked. Well, perhaps may I reframe? I never</b>

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1 <b>used them.</b>		131
2 Q Right.		
3 <b>A But, of course, I looked once or twice,</b>		
4 <b>just to see what they look like, but I did never</b>		
5 <b>use them.</b>		
6 Q There is a claim in here that no one else		
7 ever used them. Do you know whether other people		
8 used those restrooms or not, I mean of your own		
9 personal knowledge?		
10 <b>A The – the area that those bathrooms were</b>		
11 <b>positioned in was visible from where I would</b>		
12 <b>often, me and my friend group would often sit for</b>		
13 <b>lunch, and I never really saw any traffic in that</b>		
14 <b>time. Of course, I did not monitor those</b>		
15 <b>bathrooms 24/7, and I could not say that they were</b>		
16 <b>never used ever; however, it did not appear to be</b>		
17 <b>a high traffic area.</b>		
18 Q All right. After the second meeting, on		
19 December 9, word was passed to you about what the		
20 decision was, and you had a meeting, I think with		
21 the principal, is that right, or do you recall?		
22 <b>A I don't recall.</b>		
	130	
1 Q Okay. Do you remember having any		132
2 conversation with anyone about here is the system		
3 going forward, you are not going to be allowed to		
4 use the boys' restrooms any more, you can go in		
5 the ladies room or you can go to these three		
6 single stall or the nurse's office?		
7 <b>A I – I – I do recall that conversation</b>		
8 <b>with Nate Collins.</b>		
9 Q Okay.		
10 <b>A The conversation where he explained the</b>		
11 <b>new parameters.</b>		
12 Q Okay. From that point forward, did you		
13 follow the parameters?		
14 <b>A Yes.</b>		
15 Q One of the allegations in here is that you		
16 had painful urinary tract infections. Is that --		
17 tell me about that.		
18 <b>A I had – so part of the anxiety in school</b>		
19 <b>was that, of course, the trip is long, I don't</b>		
20 <b>want to miss instructional time and it is</b>		
21 <b>embarrassing, and so often times, I would just do</b>		
22 <b>my best to avoid having to use the bathroom at</b>		

	133	135
<p>1 mean there is pretty consistent foot traffic in 2 the hallways throughout the day.</p> <p>3 Q All right. Is there something about going 4 into a communal restroom that you wanted to have 5 that experience?</p> <p>6 A I --</p> <p>7 Q I am not asking that facetiously. I mean, 8 literally, an argument could be made, having a 9 single stall restroom is preferable to going in a 10 joint restroom and going to the bathroom.</p> <p>11 A Perhaps not when it is a discriminatory 12 practice. I -- There was no aspect of the 13 communal nature of the men's bathroom that I was 14 attracted to, it was the fact that I was a male 15 student and that is where the male students go to 16 the bathroom, and, you know, anything short of me 17 doing that communicated to me that, you know, not 18 necessarily the school, the School Board's 19 decision, but that the administration felt that, 20 in fact, my identity was not correct and, 21 therefore, I was not permitted to be in the spaces 22 that other boys were permitted to be in.</p>		<p>1 Complaint. 2 Did any doctor ever diagnose you as having 3 urinary tract infections? 4 A I -- I do not recall if there had ever 5 been a formal diagnosis. 6 Q Did you seek treatment? 7 A I -- I used over-the-counter solutions 8 designed for urinary tract infections, which 9 improved the condition. 10 Q What did you use? 11 A One example being a medication called Azo, 12 that is A-Z-O. 13 Q Did any doctor ever prescribe anything for 14 you for urinary tract infections? 15 A I do not recall. 16 Q Did any doctor ever tell you that your 17 urinary tract infections were caused by your not 18 using the restroom during the day at school? 19 A I do not recall. 20 Q So when you say you do not recall, do you 21 ever remember speaking to any doctor at any time 22 about urinary tract infections?</p>
<p>1 Q Let me ask you this question. If you had 2 been allowed to go in the boys' room or the single 3 stall restroom, would you have ever used the 4 single stall restrooms?</p> <p>5 A No, I would go in the boys' room because 6 they were closer to my classes.</p> <p>7 Q What about if you were at lunch time and 8 it was closer to your class to use the single 9 stall?</p> <p>10 A Perhaps in that case, if it was the 11 closest option and I wasn't being actively forced 12 to use those and those alone, but I mean the -- 13 again, for example, if I was in D-Hall, where 14 those bathrooms are, it's almost as far as going 15 to the nurse's office, I would, of course, use 16 those.</p> <p>17 MR. CORRIGAN: Sure. I understand. 18 Lunch is here? 19 (Recess from 12:35 p.m. to 1:15 p.m.)</p> <p>20 BY MR. CORRIGAN:</p> <p>21 Q Now, the urinary tract infections, we 22 talked about that. It is in paragraph 68 of your</p>	134	<p>1 A I do not recall if I did or did not, but I 2 also do not recall not having seen a doctor. I -- 3 I -- it may have come up in an appointment, I just 4 do not recall definitively enough to say yes or 5 no.</p> <p>6 Q Okay. Where does this notion come from 7 that you have urinary tract infections because of 8 not using the restroom as frequently as you felt 9 like you might have needed to during the day?</p> <p>10 A In part, because it is -- as I understood 11 it, it is something that is -- can be known to 12 increase urinary tract infections.</p> <p>13 In addition, the second that I was in an 14 environment for any extended period of time where 15 I did not have restrictions for bathroom use, for 16 example, summer vacation or post graduation, the 17 problem eliminated itself entirely.</p> <p>18 Q Okay. During your 11th grade year, did 19 you use the restroom regularly then?</p> <p>20 A I --</p> <p>21 MR. BLOCK: Objection. If you could 22 specify a time period within that year.</p>

	137		139
1    Q	Just during the year, in 11th grade.	1    Q	Do you remember the fall or spring
2 <b>A I suppose I don't understand the question.</b>		2	semester?
3 <b>Are you asking did I use the bathroom?</b>		3 <b>A No, I do not.</b>	
4    Q	Regularly.	4    Q	Where were you?
5 <b>A Do you mind reframing?</b>		5 <b>A I was in a -- a VCU hospital.</b>	
6    Q	Sure. In the 11th grade, where did you	6    Q	What was it that resulted in you spending
7    attend school?		7	time at a VCU hospital?
8 <b>A Gloucester High School.</b>		8 <b>A I had -- I was struggling with mental</b>	
9    Q	During any part of that school year, did	9	<b>health.</b>
10 you go to T.C. Walker and were you part of the		10    Q	What was the struggle?
11 SOAR or some other program?		11 <b>A Do you mind reframing the question?</b>	
12 <b>A Yes. I don't recall what it was called,</b>		12    Q	You said you were struggling with mental
13 <b>however, the program.</b>		13	health, that's why you were hospitalized at VCU,
14    Q	Tell me what you recall, what part of the	14	for an extended period of time during 11th grade.
15 year you were at Gloucester High School and what		15    I am trying to figure out what was the	
16 part of the year you were at T.C. Walker or some		16 issue, what was the mental health issue that you	
17 other location.		17	were struggling with?
18 <b>A I don't recall when I went to T.C. Walker.</b>		18 <b>A I see. I am sorry. I misunderstood you</b>	
19 <b>I -- I -- I don't recall at what point in that</b>		19	<b>the first time.</b>
20 <b>school year that I started going to T.C. Walker.</b>		20 <b>I was admitted for suicidality and treated</b>	
21 <b>It coincides with a month-long absence from</b>		21	<b>a range of things including depression,</b>
22 <b>school, and following that I returned in the</b>		22	<b>anxiety, suicidality.</b>
	138		140
1 <b>capacity of the program at T.C. Walker.</b>		1    Q	We are here on this case, obviously. Does
2    Q	Okay. Let's go back and talk about the	2	any of that relate in your mind to the bathroom
3	foundation. The 10th grade, your entire 10th	3	use/restroom use at Gloucester High School?
4	grade year, you were at Gloucester High School; is	4	<b>A Yes.</b>
5	that correct?	5	Q In what way?
6 <b>A To the best of my recollection, yes.</b>		6 <b>A It -- to be -- to have to go to an</b>	
7    Q	Was there any extended absence during your	7	<b>environment every single day, five days of the</b>
8	10th grade year?	8	<b>week, where I felt unsafe, the environment made me</b>
9 <b>A I don't recall.</b>		9	<b>anxious, I didn't feel respected, it had a massive</b>
10    Q	All right. 11th grade. We have already	10	<b>impact on my overall mental health and ability to</b>
11 talked a little bit, and some portion of that year		11	<b>function.</b>
12 you were at T.C. Walker, which is a separate		12    Q	In what way does the restroom,
13 building in a -- in a separate program; is that		13	specifically the restroom use make you feel
14 correct?		14	unsafe?
15 <b>A Yes, sir.</b>		15 <b>A It -- the policy of segregating me from my</b>	
16    Q	Was there also an extended period of time	16	<b>peers sets a -- an environment where I understand</b>
17 when you were out of school?		17	<b>that I will not be fully respected as who I am,</b>
18 <b>A Yes.</b>		18	<b>and that contributes to an overall feeling that it</b>
19    Q	Okay. When was that?	19	<b>is not an environment I will be safe in, it is</b>
20 <b>A I do not recall the date.</b>		20	<b>not, and by safe, I do not mean fear of my peers</b>
21    Q	Fall of 2015?	21	<b>doing anything or anything to that effect, I mean</b>
22 <b>A I don't recall.</b>		22	<b>mentally safe as in I did not feel confident that</b>

	141		143
<p>1 <b>was an environment where my best interests were</b></p> <p>2 <b>kept at heart and where I was able to function in</b></p> <p>3 <b>a way that was most conducive to my mental health</b></p> <p>4 <b>and success.</b></p> <p>5 Q Did you have check-ins with any of your</p> <p>6 counselors during this school year?</p> <p>7 MR. BLOCK: During his junior school year?</p> <p>8 MR. CORRIGAN: Yes.</p> <p>9 <b>A I don't recall if it was during -- if I</b></p> <p>10 <b>had any during junior year.</b></p> <p>11 Q Did at any point, and then let's talk</p> <p>12 about 10th, 11th or 12th grade, did you check in</p> <p>13 with any of the counseling staff, specifically</p> <p>14 Miss Durr and Mr. Lord?</p> <p>15 <b>A I believe -- I believe there were</b></p> <p>16 <b>instances where I -- we had had a -- a brief</b></p> <p>17 <b>meeting, to touch base, a few different times. I</b></p> <p>18 <b>don't recall with who, was it Miss Durr or</b></p> <p>19 <b>Mr. Lord, I don't recall exactly, but --</b></p> <p>20 Q Were you a member of any clubs?</p> <p>21 <b>A I was the -- I believe vice president of</b></p> <p>22 <b>the Gender and Sexuality Alliance or, rather, we</b></p>		<p>1 <b>A Yes, sir.</b></p> <p>2 Q Was there a faculty advisor for that</p> <p>3 group?</p> <p>4 <b>A Yes.</b></p> <p>5 Q Who was that?</p> <p>6 <b>A Matthew Lord.</b></p> <p>7 Q So when you had meetings, was Mr. Lord</p> <p>8 typically there?</p> <p>9 <b>A Are you asking if those meetings took</b></p> <p>10 <b>place at the Equality Club meetings?</b></p> <p>11 Q I am asking if the Gay-Straight Alliance</p> <p>12 or Equality Club had a meeting, would Mr. Lord be</p> <p>13 present?</p> <p>14 <b>A I don't recall that -- oh, pardon. I</b></p> <p>15 <b>misunderstood what you were asking.</b></p> <p>16 <b>He was present for all of our -- you know,</b></p> <p>17 <b>we met like once a week after school, and he was</b></p> <p>18 <b>present every time.</b></p> <p>19 Q What time of day would you meet?</p> <p>20 <b>A I don't recall exactly the time, it was</b></p> <p>21 <b>after school hours.</b></p> <p>22 Q Okay. Where would you meet?</p>	
<p>1 <b>called it the Equality Club, I do not recall what</b></p> <p>2 <b>year that I was in the position.</b></p> <p>3 Q Gender and Sexuality Alliance, GSA?</p> <p>4 <b>A Yes, sir.</b></p> <p>5 Q But y'all called it the Equality Club?</p> <p>6 <b>A Yes, sir.</b></p> <p>7 Q Was it actually known as the Equality Club</p> <p>8 or was that kind of a nickname?</p> <p>9 <b>A Well, when I began in the GSA, it was</b></p> <p>10 <b>called the Gay-Straight Alliance, and I personally</b></p> <p>11 <b>raised the concern that that did not honor the</b></p> <p>12 <b>diversity of students that might seek the service,</b></p> <p>13 <b>and so at that time we called it the Equality</b></p> <p>14 <b>Club.</b></p> <p>15 Q Was it formally changed to Gender and</p> <p>16 Sexuality Alliance at any point?</p> <p>17 <b>A GSA currently stands for Gender and</b></p> <p>18 <b>Sexuality Alliance only, as far as their national</b></p> <p>19 <b>branding goes.</b></p> <p>20 Q But back when you were in 10th, 11th, 12th</p> <p>21 grade, it was Gay-Straight Alliance and then later</p> <p>22 Equality Club?</p>	142	<p>1 <b>A I don't recall.</b></p> <p>2 Q How many people approximately would attend</p> <p>3 the meetings? I mean I am trying to see, is it 5</p> <p>4 or 20, 50?</p> <p>5 <b>A Between 5 and 10 --</b></p> <p>6 Q Okay.</p> <p>7 <b>A -- traditionally.</b></p> <p>8 Q Were the other members people you</p> <p>9 identified as your friends, or were there people</p> <p>10 besides that?</p> <p>11 <b>A Not necessarily. I was acquainted with</b></p> <p>12 <b>most of them but was not close personal friends</b></p> <p>13 <b>with any of them that I recall.</b></p> <p>14 Q What would you -- what would the</p> <p>15 meetings -- What would happen at the meetings?</p> <p>16 <b>A I really don't remember.</b></p> <p>17 Q I mean conversation, were there</p> <p>18 activities?</p> <p>19 <b>A I don't recall. I -- I really couldn't</b></p> <p>20 <b>tell you. The only thing I do recall is that</b></p> <p>21 <b>ahead of something like the Day of Silence, we</b></p> <p>22 <b>discussed what our role would be in that, but, as</b></p>	144

	145		147
1	<b>far as traditional meetings, I don't recall.</b>	1	<b>so that I would not have to use the restroom while</b>
2	Q What was the Day of Silence?	2	<b>I was there, because I did not have an option, on</b>
3	<b>A The Day of Silence is a day designated</b>	3	<b>that -- on the football field, you know, in that</b>
4	<b>nationally, not necessarily not a national</b>	4	<b>campus; however, there were a few occasions where,</b>
5	<b>holiday, but it is a designated day where students</b>	5	<b>regardless, I did end up having to use the</b>
6	<b>can voluntarily remain silent and, in so doing,</b>	6	<b>bathroom, and I was forced to leave.</b>
7	<b>recognizing the people, LGBTQ people who have been</b>	7	Q Tell me about those occasions, when you
8	<b>either silenced or victims of violence because of</b>	8	say you were forced to leave, what did you do?
9	<b>who they are, and so it is just a day of</b>	9	<b>A On one occasion, I had a friend drive me</b>
10	<b>remembrance.</b>	10	<b>down the road to, it is either Lowe's or Home</b>
11	Q The idea is those people have been	11	<b>Depot that is on the corner, so that I could use</b>
12	silenced so we are going to be silent?	12	<b>the bathroom there. On another occasion, I</b>
13	<b>A Yes.</b>	13	<b>believe my mother just picked me up.</b>
14	Q Mr. Lord, was he somebody at these	14	Q When your friend drove you, did you go
15	meetings who made you feel welcome?	15	back to the game?
16	<b>A Yes, I would say so.</b>	16	<b>A I -- I -- we did. I was with a group of</b>
17	Q Have you kept up with him at all since you	17	<b>friends and that friend was the person who was</b>
18	left?	18	<b>driving all of us.</b>
19	<b>A The only further correspondence that I</b>	19	Q So you left the game and then came back?
20	<b>have had is to request transcripts, when I went to</b>	20	<b>A Yes, after I had used the bathroom</b>
21	<b>apply for college.</b>	21	<b>offsite.</b>
22	Q Any conversation at all with him other	22	Q Did you do anything else while you were
	146		148
1	than that?	1	out besides go to Lowe's or Home Depot and use the
2	<b>A Not that I can recall.</b>	2	restroom?
3	Q Did you feel like he was supportive of you	3	<b>A Not that I can recall.</b>
4	as a student and a person in the Gloucester County	4	Q Did you stop and get something to eat,
5	High School?	5	anything like that?
6	<b>A I did.</b>	6	<b>A Not that I can recall.</b>
7	Q One of the paragraphs in here talks about	7	Q The allegation is, in December 2014, you
8	football games. Did you ever go to any football	8	began hormone therapy. Where did you begin the
9	games?	9	hormone therapy?
10	<b>A I did.</b>	10	<b>A At a -- it was -- a VCU facility.</b>
11	Q How many?	11	Q Okay. You mentioned a pediatric --
12	<b>A I wouldn't have a number for you.</b>	12	<b>A Endocrinologist.</b>
13	Q I mean I guess we are talking three	13	Q -- endocrinologist.
14	seasons, your sophomore year, your junior year,	14	<b>A Yes, sir.</b>
15	15 your senior year. Did you attend more than one	15	Q Do you remember that person's name?
16	game --	16	<b>A I do not.</b>
17	<b>A Yes.</b>	17	Q How did that work in terms of how did you
18	Q -- each year?	18	do hormone therapy, what is physically involved
19	<b>A Yes.</b>	19	with that?
20	Q It says here that you went home early.	20	<b>A Well, you must first get a recommendation</b>
21	Was that always the case?	21	<b>from a professional saying that, in fact, you --</b>
22	<b>A I tried very -- I tried very hard to plan</b>	22	<b>that the person is trans and hormone replacement</b>

1 **therapy is the best practice for having them live  
2 happily.**

3 Q Who gave you that recommendation?  
4 A **That would have been Dr. Lisa Griffin.**  
5 Q Okay.  
6 A **And then once you produce those or that  
7 document to the doctor willing to administer the  
8 medication, they will walk you through how do --  
9 it is an injection, subcutaneously meaning in the  
10 fat rather than in the muscle, and they walk you  
11 through how to administer that injection; and,  
12 from that point on, I self-administered an  
13 injection.**

14 Q How frequently?

15 A **Once a week.**

16 Q How frequently did you see the pediatric  
17 endocrinologist?

18 A **In the first year or so, as the process  
19 was beginning, fairly often, I don't recall  
20 exactly with what frequency but fairly often; and,  
21 following that, we haven't been back in -- from  
22 the point in which the dosage of my medication was**

150 **agreed upon and stable, we have not been back.**

2 Q Are you still taking it?

3 A **Yes.**

4 Q How frequently do you take it?

5 A **Once a week.**

6 Q Still the same?

7 A **Yes.**

8 Q Is it something that will continue for the  
9 rest of your life kind of thing or foreseeable  
10 future, or how does that work?

11 A **I -- I will take it for as long as I  
12 desire, and for my purposes that would probably be  
13 for the rest of my life.**

14 Q When did you last see the endocrinologist?

15 A **I really wouldn't have any way of telling  
16 you.**

17 Q Approximately, sophomore year, junior  
18 year, senior year?

19 A **I --**

20 Q Don't recall?

21 A **I don't recall.**

22 Q In paragraph 74, it talks about the DMV

151 1 issued a state ID card in June 2015, which would  
2 have been at the end of your sophomore year; is  
3 that correct?

4 A **Yes, sir.**

5 Q Tell me about that process.

6 A **I -- I don't really recall. I -- as far  
7 as I remember -- I don't remember what  
8 supplementary documentation I had to provide to  
9 prove that I was permitted to have a male  
10 designation on that ID; however, I do recall that  
11 there was some kind of supplementary information  
12 that I had to provide. I don't recall if it was  
13 mailed in or brought up physically, but then,  
14 after that point, it was just a matter of going to  
15 the DMV and taking the picture and receiving the  
16 card.**

17 Q So the actual receiving of the card, you  
18 remember being at the DMV, having a picture taken,  
19 and them handing you a card?

20 A **Yes. Well, to clarify, I don't recall if  
21 I was handed the card at that time, but I remember  
22 I had to be at the DMV for part of that process.**

152 1 Q And did anyone accompany you?

2 A **My mother.**

3 Q Chest reconstruction surgery in June 2016;  
4 is that correct?

5 A **Yes.**

6 Q Who performed?

7 A **Dr. Hope Sherie.**

8 Q How do you spell Sherie?

9 A **S-H-E-R-I-E.**

10 Q Was that at VCU?

11 A **No. That was not at VCU.**

12 Q Where was that?

13 A **That was in either Charlotte or**

**14 Charlottesville, I don't recall -- I have the  
15 names mixed up, but it was in North Carolina.**

16 Q Okay. Was that a double mastectomy  
17 essentially?

18 A **Yes.**

19 Q What documentation or other information  
20 did Dr. Sherie require before she performed that  
21 surgery?

22 A **As I was a -- I believe, if I am recalling**

	153		155
1	<b>correctly, I was -- pardon me. I am sorry.</b>	1	<b>A I don't recall.</b>
2	<b>Do you mind reminding me of the date?</b>	2	Q Did you present these documents, any of
3	Q Yes. June of 2016 is what it says.	3	these documents, the ID card or the order from the
4	<b>A So, yes, so as I was a minor --</b>	4	court or the birth certificate at school?
5	Q You were 16 years old at the time?	5	<b>A I don't recall if I provided the ID or --</b>
6	<b>A In June, yes, 16.</b>	6	<b>what was -- pardon me -- the first thing you</b>
7	Q Or just 17?	7	<b>mentioned.</b>
8	<b>A 17. Just 17.</b>	8	Q The first one was the ID?
9	Q I wasn't trying to be tricky. Your	9	<b>A ID.</b>
10	10 birthday is in May.	10	Q Then the second one was the order from the
11	<b>A I appreciate that.</b>	11	court, and the third one is the birth certificate.
12	<b>As I was a minor, I believe there was some</b>	12	Did you present those?
13	<b>degree of parental consent necessary. Barring</b>	13	<b>A I don't recall if I presented the ID or</b>
14	<b>that, I don't think -- or rather, I will say I</b>	14	<b>the court order, however, I did provide the birth</b>
15	<b>don't recall any other documentation that I had to</b>	15	<b>certificate.</b>
16	<b>provide beyond parental consent; however, there</b>	16	Q You actually went to school with the birth
17	<b>may have been.</b>	17	certificate?
18	Q Did you meet with Dr. Sherie about why	18	<b>A Yes.</b>
19	this was happening or why you were going to have	19	Q Who did you give it to?
20	20 the procedure?	20	<b>A I don't recall.</b>
21	<b>A I -- I don't -- I don't recall if I had</b>	21	Q Do you remember walking into the front
22	<b>any kind of in-person visitation with her before</b>	22	office kind of thing, to say I want to speak to
	154		156
1	<b>the procedure or if -- in fact, I don't recall if</b>	1	the principal, or did you go to your guidance
2	<b>it was -- if we spoke over the phone or what have</b>	2	counselor or --
3	<b>you because it was a very far drive.</b>	3	<b>A I don't recall.</b>
4	<b>It was understood, of course, that she</b>	4	Q What, if anything, do you remember -- if
5	<b>recognized that she was performing a double</b>	5	you say that you know that you presented it, what
6	<b>mastectomy on a transgender patient, it was</b>	6	do you recall about any aspect of that then?
7	<b>something her practice was known for doing.</b>	7	<b>A Well, I recall -- I recall recognizing</b>
8	Q Okay. September 9, 2016, Gloucester	8	<b>that my records had failed to be changed and I</b>
9	Circuit Court issued an order. What do you recall	9	<b>recall going on more than one occasion to the</b>
10	10 about the hearing and the order that occurred on	10	<b>guidance office and asking why my records weren't</b>
11	11 September 9, 2016? Was there a hearing?	11	<b>being changed, when my documents had been amended,</b>
12	<b>A Just -- just giving me the dates, I -- it</b>	12	<b>and asking when it would happen, if it would</b>
13	<b>is not prompting any recollection of anything. I</b>	13	<b>happen, and I was at that point told -- I do not</b>
14	<b>apologize.</b>	14	<b>recall by whom in the guidance office, but I was</b>
15	Q Do you remember going to court, the actual	15	<b>informed that the response was -- the response</b>
16	Gloucester Circuit Court, which would have been in	16	<b>that that person was instructed to give me was</b>
17	Gloucester?	17	<b>that we received your request, thank you, which</b>
18	<b>A Yes. Yes, I do -- I remember, yes.</b>	18	<b>I -- which is what I remember about that.</b>
19	Q What do you remember about the hearing?	19	Q Have you personally ever spoken to any
20	<b>A I don't remember much of anything.</b>	20	members of the Gloucester County School Board?
21	Q Did you speak or did just your lawyer	21	<b>A Current or former members?</b>
22	22 speak?	22	Q Either.

	157		159
1	<b>A Yes.</b>	1	Gavin.
2	Q Who?	2	Q So what do you know about Melinda Penn?
3	<b>A Kevin Smith.</b>	3	MR. CORRIGAN: Thank you for the
4	Q Tell me any conversations you ever had	4	clarification.
5	with Kevin Smith.	5	<b>A I know that I saw her at some point, but I</b>
6	<b>A Kevin Smith was a family friend, he was</b>	6	<b>cannot recall --</b>
7	<b>around growing up, here and again as a friend of</b>	7	Q Is she the pediatric endocrinologist?
8	<b>my mother's, I don't -- I cannot recall any</b>	8	<b>A I don't recall. I don't recall the name</b>
9	<b>conversations generally speaking; however, there</b>	9	<b>of that person, so she may or may not be.</b>
10	<b>is one conversation that I do recall in which</b>	10	Q Okay. We talked about Lisa Griffin
11	<b>Kevin approached myself and my mother and said</b>	11	12 previously. Her address here is 14 South Auburn
12	<b>that, since he was a friend of the family, that he</b>	12	13 Avenue, Richmond, Virginia.
13	<b>would certainly recuse himself from the School</b>	13	Is that, when you saw her, is that where
14	<b>Board's vote.</b>	14	15 you saw her, in Richmond?
15	Q Well, that's the conversation you	15	<b>A She was in Richmond, I don't know the</b>
16	remember?	16	<b>street address.</b>
17	<b>A That's the extent of that conversation I</b>	17	Q How many times have you seen her?
18	<b>remember.</b>	18	<b>A I don't recall exactly how many times.</b>
19	Q As you said earlier, he then did not --	19	Q Well, less than ten?
20	<b>A He did not.</b>	20	<b>A I -- I don't remember.</b>
21	Q -- recuse himself.	21	Q I am just trying to get a magnitude. It
22	Have you spoken with him since then?	22	23 could be once or it could be 200 times.
	158		160
1	<b>A I have not.</b>	1	<b>A Right.</b>
2	Q Have you had any communications with him?	2	Q You have no ability to estimate between
3	<b>A I have not.</b>	3	3 one and 200 how many times you saw Lisa Griffin?
4	Q Other than the fact that Kevin Smith was a	4	<b>A I did not see her on a long-term ongoing</b>
5	family friend and the conversation about him	5	<b>basis, so I assume 200 would be a high number;</b>
6	recusing himself, have you had any other	6	<b>however, I also cannot estimate if it was 10 times</b>
7	conversations with any members of the Gloucester	7	<b>or 50 times.</b>
8	County School Board, past or present?	8	Q Okay.
9	<b>A Not that I can recall.</b>	9	<b>A I just don't recall the span of time that</b>
10	Q Any other communication with any other	10	<b>I saw her for.</b>
11	members of the Gloucester County School Board,	11	Q All right. Eva Abel, Chesapeake
12	email, text, anything of that nature?	12	Counseling Associates, do you remember seeing her?
13	<b>A Not that I can recall.</b>	13	<b>A Yes.</b>
14	Q One of the physicians you mentioned in	14	Q How often have you seen her?
15	your interrogatory answers is Melinda Penn at	15	<b>A She was my -- I had fairly weekly --</b>
16	Children's Hospital of the King's Daughters. Who	16	<b>pardon me. Either weekly or monthly.</b>
17	is that person?	17	<b>So either weekly or monthly, I can't</b>
18	<b>A So Melinda Penn --</b>	18	<b>recall which of the two visits with her for -- I</b>
19	MR. BLOCK: I am going to object. To	19	<b>don't recall the duration, but it was -- it was</b>
20	clarify, that's the list of their current	20	<b>quite a while.</b>
21	locations, so she is currently at that hospital,	21	Q During high school?
22	but that's not where she was when she treated	22	<b>A During high school and as well after.</b>

	161		163
1	Q And after, but not before high school?	1	<b>A I don't. I have not asked him.</b>
2	<b>A No, not before high school.</b>	2	Q How about any upper classmen or upper
3	Q Okay. Are you still seeing her?	3	classpeople at Gloucester High School at current
4	<b>A I am not.</b>	4	who are transgender, do you know of any?
5	Q Are you currently seeing anyone? When I	5	<b>A Current – current right now?</b>
6	say anyone, I mean are you seeing any	6	Q Yes.
7	psychologists, psychiatrists, counselor, Licensed	7	<b>A I do not, however, a friend of mine is a</b>
8	Clinical Social Worker, anybody with respect to	8	<b>transgender student who graduated last year, well,</b>
9	gender dysphoria or your transgender status or	9	<b>last school year, who was transgender while at</b>
10	anything of that nature?	10	<b>10 Gloucester High School or is trans and went there.</b>
11	<b>A I am not currently seeing anybody with</b>	11	Q Gotcha. So there is a student who
12	<b>respect to my gender identity. I have a general</b>	12	graduated in June of '18, a year after you --
13	<b>care physician who prescribes my testosterone, but</b>	13	<b>A Yes.</b>
14	<b>my reason for care with him is not gender related.</b>	14	Q -- who is transgender?
15	Q Who is that physician?	15	<b>A Yes.</b>
16	<b>A His name is Jess Pinder.</b>	16	Q What restroom did that student use, if you
17	Q P-I-N-D-E-R?	17	17 know?
18	<b>A Yes, sir.</b>	18	<b>A He said that he would either avoid them</b>
19	Q Where is he located?	19	<b>altogether or use the nurse's office or single</b>
20	<b>A One Medical on Shattuck Avenue in Berkley,</b>	20	<b>20 stall restrooms but generally preferred to avoid</b>
21	<b>California.</b>	21	<b>21 them.</b>
22	Q One of your interrogatory answers says	22	Q Do you know whether that student ever
	162		164
1	someone named Thomas Aberli, principal, Atherton	1	raised the issue beyond just using those in terms
2	High School, Louisville, Kentucky, is a witness	2	of trying to get a change in the rule or address
3	with knowledge about his experience as an	3	the rule?
4	administrator with policies that allow boys and	4	<b>A He did not because he did not have</b>
5	girls who are transgender to use the same restroom	5	<b>parental support.</b>
6	as other boys and girls.	6	Q Was he a transgender boy?
7	Do you know anything about Mr. Aberli?	7	<b>A Yes.</b>
8	<b>A I – I don't recall having spoken to him.</b>	8	Q Was he called by his male name and male
9	Q Do you know of any current students at	9	pronouns at school, to your knowledge?
10	Gloucester High School who are transgender?	10	<b>A To my knowledge, that was something that</b>
11	<b>A Yes.</b>	11	<b>11 he had discussed with teachers and arranged on his</b>
12	Q What do you know? Not who, but what.	12	<b>12 own, and that is what seemed to be the status quo.</b>
13	<b>A Okay. So there – there is at least – I</b>	13	Q So he did that without his parental
14	<b>won't speak to hearsay, but I know for certain</b>	14	support was your understanding or not?
15	<b>that there is one student who is a freshman this</b>	15	<b>A I don't have a knowledge of what degree</b>
16	<b>year who identifies as a boy and has had moderate</b>	16	<b>his parents were involved in that.</b>
17	<b>success with requesting that his teachers refer to</b>	17	Q Okay. Any other transgender students that
18	<b>him with male pronouns and with the name he</b>	18	you are aware of from the time you approached the
19	<b>prefers, however, he has not made any kind of</b>	19	school in late summer of 2014 until the present?
20	<b>greater administrative push.</b>	20	<b>A Yes. I can think of three off the top of</b>
21	Q Do you have any idea what that child is	21	<b>my head.</b>
22	22 doing with respect to restroom use?	22	Q Three others?

	165		167
1 <b>A Yes. There were two additional</b>		1 <b>A I don't know.</b>	
2 <b>transgender boys and one transgender girl.</b>		2    Q The two transgender boys you identified,	
3    Q Did they graduate?		3    in addition to the ones we have previously talked	
4 <b>A The two other boys were one grade below me</b>		4    about, graduated last year is your understanding?	
5 <b>and so graduated when -- graduated this previous</b>		5 <b>A Yes.</b>	
6 <b>year.</b>		6    Q What was your understanding of their	
7    Q Right.		7    restroom use?	
8 <b>A And then the girl was in my grade, and she</b>		8 <b>A I did not know.</b>	
9 <b>graduated with our class.</b>		9    Q Do you know them?	
10   Q The girl, did she -- that graduated with		10 <b>A They were not close personal friends,</b>	
11 your class, what was her restroom arrangements, if		11 <b>however, they were both close personal friends of</b>	
12 you understood it?		12 <b>one of my close friends, and so there were</b>	
13 <b>A She had even fewer opportunities to</b>		13 <b>environments in which we had hung out together and</b>	
14 <b>express herself truly, as her parents were even</b>		14 <b>had become acquainted on a more than -- on a more</b>	
15 <b>more opposed to who she is, and so she, I believe,</b>		15 <b>than peer basis.</b>	
16 <b>as far as I was aware, just sort of accepted the</b>		16   Q So did you ever ask them about their	
17 <b>men's restrooms or avoided them at all costs.</b>		17   restroom use?	
18   Q So she was identifying female and wanted		18 <b>A No.</b>	
19 to use the girls' restrooms but either used the		19   MR. CORRIGAN: I would like to take a	
20 boys' restrooms or -- Did she use the single		20 minute. I am going to talk to Tracey a little	
21 stall?		21 bit.	
22   MR. BLOCK: I am just going to object to		22   (Recess from 1:53 p.m. to 2:01 p.m.)	
	166		168
1   characterizing the testimony as her wanting to use		1    MR. CORRIGAN: No further questions.	
2   the girls' restrooms.		2    MR. BLOCK: I have a couple questions.	
3    MR. CORRIGAN: Okay. Go ahead.		3    EXAMINATION BY COUNSEL FOR THE PLAINTIFF	
4 <b>A I -- she was not able to socially</b>		4   BY MR. BLOCK:	
5 <b>transition, and so she was not able to reveal to</b>		5    Q So do you remember when Mr. Corrigan was	
6 <b>the greater community that she was a girl, and so</b>		6   asking you about the construction of the	
7 <b>that was knowledge only within people that were</b>		7   additional single user restrooms?	
8 <b>close to her or in her circle.</b>		8 <b>A Yes.</b>	
9    Q So she had not approached the schools to		9    Q Do you remember that you discussed how,	
10 have her pronouns changed and her name changed?		10 even though the school had said they were ready at	
11 <b>A Not that I was aware.</b>		11 a particular time, they were not actually ready?	
12   Q But she graduated with you?		12 <b>A Yes.</b>	
13 <b>A Yes.</b>		13   Q Is there anything you want to say about	
14   Q In terms of the use of the restroom, your		14 what occurred during that week when the policy was	
15 understanding was she was using the boys' room or		15 in effect but the restrooms weren't ready for you?	
16 avoiding it?		16 <b>A Yes. There was one occasion where I</b>	
17 <b>A She told me that she at all possible costs</b>		17 stayed after for an event, I don't recall what	
18 <b>avoided using them; however, in emergencies, she</b>		18 event, but it was -- it was -- the -- it was	
19 <b>would go to the boys' room.</b>		19 before these restrooms were finished being	
20   Q Did she ever go to the single stalls --		20 constructed and, therefore, my only option was the	
21 <b>A I have no knowledge.</b>		21 nurse's restroom, which is locked after school	
22   Q -- to your knowledge? You don't know?		22 hours, and I recognized that I had to go to the	

	169		171
1	bathroom and it would be a while before my parents	1 ahead.	
2	could have picked me up, and by that time it would	2 A He expressed in part that the school did	
3	have been an emergency, and so I was very	3 not feel like an environment where he would be	
4	distraught, really just totally devastated that I	4 safe transitioning in, he also expressed that it	
5	had nowhere to use the bathroom in my own school,	5 would have been difficult just regarding the	
6	and so I broke down really bad and went sobbing to	6 situation he was in privately, I didn't inquire as	
7	the library, where I knew I had friends, and one	7 to the details, his family were less on board than	
8	of the librarians actually drove me home so that I	8 he would have liked, but he had expressed that	
9	could use the bathroom.	9 there was anxiety over not feeling like he was	
10	Q Do you remember, when Mr. Corrigan asked	10 safe to transition within the school and	
11	you about what memories you have with respect to	11 especially not having a bathroom, if he did.	
12	bringing your birth certificate to school?	12 Q Do you recall Mr. Corrigan asking you	
13	A Yes.	13 about check-in meetings you would have with	
14	Q And you testified about your memory	14 Miss Durr or Mr. Lord?	
15	regarding checking up on your school records; is	15 A I do.	
16	that right?	16 Q And during those meetings, did you report	
17	A Yes.	17 any distress that you were experiencing as a	
18	Q Do you have a specific memory of who	18 result of the school's restroom policies?	
19	handed the birth certificate in?	19 A I believe I did.	
20	A If I -- if I may clarify, I don't recall	20 Q And can you speak to whatever occasions	
21	exactly who, if it was myself or my mother, but I	21 you did make that report?	
22	do remember it was, in fact, handed in and that I	22 A There was one occasion in which I spoke to	
	170		172
1	was the one who checked up after that fact.	1 Tiffany Durr, where I had expressed that I was	
2	Q Do you remember talking to Mr. Corrigan	2 experiencing pain because of the situation at the	
3	about other students at Gloucester High School who	3 school; however, I -- there was also a tendency in	
4	were transgender?	4 following meetings, for me to underreport the	
5	A Yes.	5 trauma that I was going through or examples of	
6	Q Do you remember saying that one of the	6 bullying or harassment, because I felt that it was	
7	students you discussed, the transgender girl, had	7 not something that -- they could not resolve those	
8	not socially transitioned?	8 issues, they could not give me the ability to use	
9	A Yes.	9 the boys' bathroom, and so I failed to report much	
10	Q Of the other students that you discussed	10 of what I was experiencing because I did not have	
11	11 with Mr. Corrigan, were there any other students	11 faith in the school system to protect me from	
12	12 who were transgender but had not socially	12 those things that I was worried about.	
13	13 transitioned?	13 MR. BLOCK: No further questions from me.	
14	A Yes.	14 MR. CORRIGAN: I have a question.	
15	Q Who was that?	15 EXAMINATION BY COUNSEL FOR THE DEFENDANT	
16	A One other student had not socially	16 BY MR. CORRIGAN:	
17	transitioned and was presenting himself as a boy	17 Q With respect to Miss Durr, can you tell me	
18	only to his friend group, however, not to teachers	18 approximately when you think you spoke with her?	
19	or administrators.	19 A It -- it would have been earlier in the --	
20	Q Did he tell you why he was not	20 the -- earlier in that school year or perhaps	
21	transitioning more broadly?	21 towards the middle of my sophomore year, somewhere	
22	MR. CORRIGAN: I object to the form. Go	22 in that range.	

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1	Q Okay.	1	policy; is that correct?
2	<b>A It was earlier.</b>	2	<b>A I don't recall.</b>
3	Q So earlier as in could have been in the	3	Q You don't recall one way or the other?
4	fall or in the early part of the spring semester?	4	<b>A Correct.</b>
5	<b>A Correct, that would be where I would</b>	5	Q What did Miss Durr say to you after you
6	<b>estimate it.</b>	6	expressed these concerns?
7	Q And do you remember where the conversation	7	<b>A I don't recall.</b>
8	took place?	8	MR. CORRIGAN: That's all the questions.
9	<b>A I -- I don't, but typically those</b>	9	MR. BLOCK: Same here.
10	<b>10 conversations were had in the office of the</b>	10	You will have an opportunity to review the
11	<b>11 person; however, I cannot recall it explicitly</b>	11	transcript and to make any corrections, if
12	<b>12 that it was or was not.</b>	12	anything is incorrect.
13	Q Do you recall what you said to her?	13	MR. GRIMM: Okay.
14	<b>A I -- I don't recall specifically phrases</b>	14	Thank you very much.
15	<b>15 that were used, I do, however, recall expressing</b>	15	MR. CORRIGAN: Thank you.
16	<b>16 general distress about the policy and how it was</b>	16	
17	<b>17 affecting me negatively.</b>	17	(Off the record at 2:10 p.m.)
18	Q When you say the policy, what policy?	18	
19	<b>A Pardon. The discriminatory policy that</b>	19	
20	<b>20 the School Board had put in place.</b>	20	
21	Q With respect to the restrooms?	21	
22	<b>A Yes, sir.</b>	22	
	174		176
1	Q Did you use the word pain earlier, when	1	ACKNOWLEDGEMENT OF DEPONENT
2	you were talking to Mr. Block, what pain were you	2	I, GAVIN GRIMM, do hereby acknowledge
3	talking about?	3	that I have read and examined the foregoing
4	<b>A Can you --</b>	4	testimony, and the same is a true, correct and
5	Q You said to him that you spoke to her one	5	complete transcription of the testimony given by
6	time and told her about the pain --	6	me and any corrections appear on the attached
7	<b>A Right.</b>	7	Errata sheet signed by me.
8	Q -- because of the situation. What does	8	
9	that mean?	9	
10	<b>A Mental anguish, I mean pain being</b>	10	(DATE) (SIGNATURE)
11	<b>11 emotional distress--</b>	11	
12	Q So you weren't talking about physical like	12	
13	your stomach hurt or something like that?	13	
14	<b>A Yes, sir, pain being emotional distress</b>	14	
15	<b>15 and trauma.</b>	15	
16	Q Did you ever have any conversations with	16	
17	Miss Durr or Mr. Lord or anyone else in counseling	17	
18	about emotional distress and trauma that you were	18	
19	having that was unrelated to the restrooms?	19	
20	<b>A I don't recall.</b>	20	
21	Q To the best of your recollection, you	21	
22	never spoke with Mr. Lord about the restroom	22	

Transcript of Gavin Grimm  
Conducted on October 19, 2018

45 (177 to 180)

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1 CERTIFICATE OF SHORTHAND REPORTER - NOTARY PUBLIC

2 I, LESLIE D. ETHEREDGE, Registered Merit

3 Reporter, Certified Court Reporter and Notary

4 Public, the officer before whom the foregoing

5 deposition of GAVIN GRIMM was taken, do hereby

6 certify that the foregoing transcript of the

7 deposition is true and correct to the best of my

8 ability; that said testimony was taken by me

9 stenographically and thereafter reduced to

10 typewriting under my direction; that reading and

11 signing was requested; and that I am neither

12 counsel for, related to, nor employed by any of

13 the parties to this case and have no interest,

14 financial or otherwise, in its outcome.

15 IN WITNESS WHEREOF, I have hereunto set my

16 hand this 5th day of November, 2018.

17 

18 \_\_\_\_\_

19 LESLIE D. ETHEREDGE, Notary Public in

20 and for the Commonwealth of Virginia

21 Registration No: 116406

22 My commission expires February 28, 2019